

**PLANNING COMMITTEE MEETING HELD
WEDNESDAY 22 JANUARY 2025**

Table of Key Adoptions

No.	Item	Summary of Decisions
1.	Apologies	Alderman Boyle
2.	Declarations of Interest	Alderman Callan, Alderman Hunter, Alderman S McKillop, Alderman Scott, Councillor C Archibald, Councillor Peacock, Councillor Storey.
3.	Minutes of Planning Committee Meeting held Wednesday 27 November 2024	Confirmed as a correct record.
4.	Order of Items and Confirmation of Registered Speakers	Information
5.	Schedule of applications	
5.1	LA01/2024/1253/S54, Major, Hilltop Holiday Park, 60 Loguestown Road, Portrush	Agree and Approved
5.2	LA01/2024/0194/F, Council Interest, Site in Portaneevy Car Park, adjacent to B15, Whitepark Road, Ballintoy, Ballycastle	Deferred for further consideration and if a recommendation for the Rescinding of the motion needs to be done if recommended, then set aside Standing Orders in order that discussion can be held on an agreed outcome.
5.3	LA01/2024/0199/F, Council Interest, Site 120m North East of amenity block, West Bay Car Park, Portrush	Deferred for further consideration and if a recommendation for the Rescinding of the motion needs to be done if recommended, then set aside

		<i>Standing Orders in order that discussion can be held on an agreed outcome.</i>
5.4	LA01/2024/0992/F, Council Interest, 65 Main Street, Bushmills	<i>Agree and Grant</i>
5.5	LA01/2024/0993/LBC, Council Interest, 65 Main Street, Bushmills	<i>Agree and Grant Listed Building Consent.</i>
5.6	LA01/2024/0996/F, Council Interest, 17 Shelton Meadow, Loughguile	<i>Agree and Grant</i>
5.7	LA01/2022/1185/F, Council Interest, Site to be developed is within Burnfoot Playing Fields. This is located approximately 50 metres east of "Burnfoot Stores" with address of 297 Drumrane Road, Burnfoot Dungiven	<i>Agree and Approved</i>
5.8	LA01/2022/0791/F, Objection Item, 57-59 Causeway Street Portrush	<i>Deferred and hold a Site Visit;</i> <i>Agree and allow the matter of overshadowing to be considered further in accordance with the recommendation set out in 1.4 of this Addendum.</i>
5.9	LA01/2022/1587/F, Objection Item, Land to the side and rear of 12 Sunset Ridge, Portstewart	<i>Deferred and hold a Site Visit.</i>
5.10	LA01/2023/0339/O, Referral, Approximately 50m NE of 92 Moneybrannon Road, Coleraine	<i>Disagree and Approved.</i> <i>Delegate Conditions and Informatives.</i>
5.11	LA01/2023/1053/F, Referral, Lands immediately North of 15 Loughermore Road, Ballykelly, Limavady	<i>Agree and deferred to allow submission of admendments, readvertisement, further neighbour notification and consultation with NIHE on the social housing units to ascertain if suitable;</i> <i>If there is a resolution of issues and is recommended for</i>

		approval, does not come back to Planning Committee and delegated to Officers to issue decision.
5.12	LA01/2024/0037/F, Referral, Lands to the immediate north and west of Nos. 5 & 6 Kilnadore Brae, Cushendall	Disagree and Approved Delegate Conditions and Informatives
5.13	LA01/2023/0417/F, Referral, 175m SSE of 23 Ballymacrea Road, Portrush	Disagree and Approved Delegate Conditions and Informatives
5.14	LA01/2024/0170/O, Referral, Approximately 35m South West of 344 Craigs Road, Rasharkin	Deferred for one month for clarity of measurements of plot sizes
5.15	LA01/2024/0172/O, Referral, Approx. 75m South West of 344 Craigs Road Rasharkin	Deferred for one month for clarity of measurements of plot sizes
5.16	LA01/2023/1187/F, Referral, 10 Clagan Park, Aghadowey, Coleraine	Deferred for one month to allow the applicant the option to revisit the application
5.17	LA01/2023/0187/F, Referral, 25 Church Street, Limavady	Deferred for one month due the agent being called away for a family emergency
5.18	LA01/2023/0692/O, Referral, Between 88 & 90 Haw Road, Bushmills	Deferred for a Site Visit
5.19	LA01/2023/0043/F, Referraal, Lands approx 55m South East of, 36 Seacon Park, Ballymoney	Disagree and Approved Delegate Conditions and Informatives
6.	Local Development Plan	
6.1	Local Development Plan	Agree to amend the contract with Ulster University to allow the local political parties to engage with Ulster University research team

7.	Correspondence	
7.1	Dfl – Letter of Agreement (LDP Timetable Rev 4)	Noted
7.2	Dfl – Approval of amended Scheme of Delegation	Noted
7.3	DfE – Onshore Petroleum Licensing Policy – Executive Decision	Noted
7.4	DC&SDC – LDP Direction – Letter to Stakeholders	Noted
7.5	Correspondence to Dfl – Long Term Water Strategy (LTWS)	Noted
8	Reports for Decision	
8.1	Fee Exemptions	Agree that the Committee considers the attached Information Note and agrees to its publication on the Planning Section of Council's website
8.2	TPO Confirmation – 43-45 Carthall Road, Coleraine	Resolve to confirm the TPO with modifications as detailed above.
8.3	TPO Confirmation – 44-46 Carthall Road, Coleraine	Resolve to confirm the TPO with modifications as detailed above.
8.4	Addendum DfE – Consultation on Mineral Prospecting Licences (DGA4/25)	Agree to the Head of Planning responding to the DfE consultation to advise of permitted development rights for minerals exploration and the requirement for Dalradian Gold Limited to notify the Council before undertaking any development and party group input is received by the Head of Planning by 7 March 2025
9	Reports for Noting	
9.1	LDP – 6 month Indicative LDP Work Programme (Jan – Jun 2025)	Noted
9.2	Finance Report – Period 1 -7	Noted

9.3	Finance Report – Period 1 – 8	Noted
9.4	Second Quarterly Report on Planning Performance	Noted
	FOR CONFIDENTIAL CONSIDERATION (Items 10-10.3 inclusive)	
10.	Confidential Items	
10.1	Update on Legal Issues	
10.1.1	Pre Action Protocol Letter - LA01/2023/0804/F 90 Ballyreagh Road, Portstewart, BT55 7PT	Noted
10.1.2	East Road Drumsurn	Noted
10.1.3	Pre Action Protocol Letter, Castlecatt Road	Noted
10.2	Revocation Request	<i>That the Committee agrees with Option 2 and that the Head of Planning replies to the complainant to advise accordingly</i>
10.3	Staffing Structure in the Planning Department	Noted
11.	Any Other Relevant Business (in accordance with Standing Order 12 (o))	
11.1	Issues raised by the Causeway Coast and Glens Local Architects Group (Alderman Callan)	<i>Set aside Standing Orders to propose a Special Planning Committee meeting.</i> <i>That a Special Planning Committee meeting is held with Architects in hybrid format on 13 February 2025, if it is free.</i>

**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 JANUARY 2025 AT 10.30AM**

Chair: Alderman Hunter, Chair (Items 1 - 5.17, 6 - 11.1 inclusive)
Councillor Watton, Vice Chair (Items 5.18 - 5.19)

Committee Members: Alderman Callan (C), Coyle (C), S McKillop (C),
Scott (C), Stewart (C)
Councillors Anderson (C), C Archibald (C), Kennedy (C),
McGurk (R), McMullan (C), Nicholl (R), Peacock (R), Storey
(C), Watton (C)

Officers Present: D Dickson, Head of Planning (C)
S Mulhern, Development Plan Manager (R/C)
S Mathers, Development Management & Enforcement Manager (C)
J Lundy, Development Management Manager (C)
M Jones, Council Solicitor, Corporate, Planning and Regulatory (C)
J McMath, Senior Planning Officer (C)
M McErlain, Senior Planning Officer (C)
M Wilson, Senior Planning Officer (C)
R McGrath, Senior Planning Officer (C)
E Hudson, Senior Planning Officer (C)
S McKinley, Planning Assistant (R)
J Keen, Committee & Member Services Officer (R/C)
S Duggan, Civic Support & Committee & Member Services Officer
(C/R)

In Attendance: R Finlay, ICT Officer (C)

Press 2no. (R)

Public 18no. including Speakers

Key: R = Remote in attendance C= Chamber in attendance

Registered Speakers

Item No	Name
Item 5.1 LA01/2024/1253/S54	D Dalzell (C) C Mayrs (R)
Item 5.6 LA01/2024/0996/F	J Simpson (R)
Item 5.8 LA01/2022/0791/F	P Reid G McGill

Item 5.9 LA01/2022/1587/F	C and S Wilson M and C Acheson N Loughran G McPeake
Item 5.10 LA01/2023/0339/O	J Martin (R)
Item 5.11 LA01/2023/1053/F	M Kennedy (R)
Item 5.12 LA01/2024/0037/F	Emma-Lisa Knudsen (R) S Emerson (C)
Item 5.13 LA01/2023/0417/F	D Dalzell (C) C Mayrs (R)
Item 5.14 LA01/2024/0170/O	J Martin (R)
Item 5.15 LA01/2024/0172/O	J Martin (R)
Item 5.16 LA01/2023/1187/F	J Simpson (R)
Item 5.17 LA01/2023/0187/F	C Cochrane (R)
Item 5.18 LA01/2023/0692/O	J Simpson (R)
Item 5.19 LA01/2023/0043/F	M Bell (C) J Chartres (C)

The Head of Planning undertook a roll call.

The Chair reminded Planning Committee of their obligations under the Local Government Code of Conduct and Remote Meetings Protocol.

1. APOLOGIES

Apologies were recorded for Alderman Boyle.

2. DECLARATIONS OF INTEREST

Alderman Callan declared an interest as having referred the Application, in Item 5.11 LA01/2023/1053/F, Referral, Lands immediately North of 15 Loughermore Road, Ballykelly, Limavady. Having declared an interest, Alderman Callan left the Chamber during consideration of the Item and did not vote.

Alderman Hunter declared an interest in Item 5.18 LA01/2023/0692/O, Referral, Between 88 & 90 Haw Road, Bushmills and Item 5.19 LA01/2023/0043/F, Referral, Lands approx 55m South East of, 36 Seacon Park, Ballymoney. Having declared an interest, Alderman Hunter vacated the Chair and left the Chamber during consideration of the Item and did not vote.

Prior to consideration of Item 5.2, Alderman S McKillop declared an interest as a Member of Environmental Services Committee having discussed the applications for Item 5.2 LA01/2024/0194/F, Council Interest, Site in Portaneevy Car Park, adjacent to B15, Whitepark Road, Ballintoy, Ballycastle and Item 5.3 LA01/2024/0199/F, Council Interest, Site 120m North East of amenity block, West Bay Car Park, Portrush. Having declared an Interest, Alderman S McKillop left The Chamber during consideration of the Items and did not vote.

Alderman S McKillop declared an Interest in Item 5.4 LA01/2024/0992/F, Council Interest, 65 Main Street and Item 5.5 LA01/2024/0993/LBC, Council Interest, 65 Main Street, Bushmills. Having declared an interest, Alderman S McKillop left the Chamber during consideration of these Items and did not vote.

Alderman Scott declared an interest, stating he lobbied for Item 5.7 LA01/2022/1185/F, Council Interest, Site to be developed is within Burnfoot Playing Fields, this is located approximately 50 metres east of "Burnfoot Stores" with address of 297 Drumrane Road, Burnfoot Dungiven. Having declared an interest, Alderman Scott left the Chamber during consideration of the Item and did not vote.

Councillor C Archibald declared an interest as a Member of Land and Property Sub-Committee in Item 5.2 LA01/2024/0194/F, Council Interest, Site in Portaneevy Car Park, adjacent to B15, Whitepark Road, Ballintoy, Ballycastle and Item 5.3 LA01/2024/0199/F, Council Interest, Site 120m North East of amenity block, West Bay Car Park, Portrush. Having declared an interest, Councillor C Archibald left the Chamber during consideration of these Items and did not vote.

Councillor Peacock declared an interest as having spoken on the applications at Council in Item 5.2 LA01/2024/0194/F, Council Interest, Site in Portaneevy Car Park, adjacent to B15, Whitepark Road, Ballintoy, Ballycastle and 5.3 LA01/2024/0199/F, Council Interest, Site 120m North East of amenity block, West Bay Car Park, Portrush. Having declared an interest, Councillor Peacock left meeting during consideration of these Items and did not vote.

Councillor Storey declared a non-pecuniary interest as having a caravan at Hilltop Caravan Park in Item 5.1 LA01/2024/1253/S54, Major, Hilltop Holiday Park, 60 Loguestown Road, Portrush. Having declared an interest, Councillor Storey left the Chamber during consideration of the Item and did not vote.

Councillor Watton stated apologies for not attending a Site Visit he had proposed, due to attending a funeral.

The Chair advised Planning Committee Members who declared an Interest to move out of the Meeting for their stated applications.

3. MINUTES OF PLANNING COMMITTEE MEETING HELD WEDNESDAY 27 NOVEMBER 2024

Copy previously circulated.

Proposed by Councillor Watton
Seconded by Alderman Stewart

- That the Minutes of the Planning Committee meeting held Wednesday 27 November 2024 are signed as a correct record.

The Chair put the motion to the Committee to vote.
15 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 27 November 2024 are signed as a correct record.

4. ORDER OF ITEMS AND CONFIRMATION OF REGISTERED SPEAKERS

The Chair stated there was no change to the Order of Business and noted that no site visits had been requested.

5. SCHEDULE OF APPLICATIONS

* **Having declared an Interest, Councillor Storey left The Chamber at 10.39am.**

5.1 LA01/2024/1253/S54, Hilltop Holiday Park, 60 Loguestown Road, Portrush

Report, Presentation and Speaking Rights Template for D Dalzell and C Mayrs were previously circulated and presented by the Development Management and Enforcement Manager.

Major Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Variation of Condition 4 of (Foul Sewage) of LA01/2023/1072/F (Extension of caravan park) Original text for this condition:

Within 3 months from the date of this permission, the cesspool, as shown on drawing 02 Rev A dated 27th February 2024 and drawing 05 dated 12th August 2024, shall be provided including foul sewer connections from the additional 28no. caravan units hereby approved. All foul sewage from the additional 28no. caravan units shall solely be disposed to the approved cesspool.

Reason: To prevent the overloading of existing NIW infrastructure.

Proposed amended text for this condition:

Within 6 months from the date of this permission, the cesspool, as shown on drawing 02 Rev A dated 27th February 2024 and drawing 05 dated 12th August 2024, shall be provided including foul sewer connections from the additional 28no. caravan units hereby approved. All foul sewage from the additional 28no. caravan units shall solely be disposed to the approved cesspool, unless it has been demonstrated to the satisfaction of the council and agreed in writing, that the mains sewer and the receiving wastewater treatment works has the capacity to receive the wastewater and foul sewage from the development.

Reason: To prevent the overloading of existing NIW infrastructure.

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 via Power Point presentation:

- Proposal comprises a variation of condition regarding the circumstances when a sewage cesspool is required to service the extension to the site for 28 additional caravans which was approved in September last year.
- While a major application, no PAN was required as this is a variation of condition application. A Design and Access Statement was not required as the changes do not pertain to design issues.
- In terms of the Northern Area Plan 2016, the site is located in the open countryside. The Plan does not contain specific policy on tourism development and directs to regional policy.
- The Existing Condition- Given constraints on NI Water sewerage infrastructure, the approved application conditions connection of the sewerage for the additional 28 caravans to a cesspool.
- The Proposed Condition- The proposed change similarly conditions connection to the cesspool but provides an alternative of “unless it has been demonstrated to the satisfaction of the Council and agreed in writing, that the mains sewer and the receiving wastewater treatment

works has capacity". The Agent advises that a stormwater offsetting arrangement is being taken forward. NI Water has been consulted and has no objection.

- Representations- None received.
- Conclusion- Accordingly, the proposed change to the wording of the condition is acceptable and the recommendation is to approve.

The Chair invited D Dalzell and C Mayrs to speak in support of the application.

D Dalzell advised he was the Agent for Blairs Caravans, he thanked the Officer for the summary and invited any questions that Planning Committee might have.

There were no questions posed.

Proposed by Alderman S McKillop

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.

14 Members voted For; 0 Members voted Against; 0 Members 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.

- * **Having declared an Interest, Councillor C Archibald left The Chamber at 10.46am.**
- * **Having declared an Interest, Councillor Peacock disconnected from the meeting remotely at 10.46am.**
- * **Councillor Storey rejoined the meeting in The Chamber at 10.46am.**

At this point in the meeting, Alderman S McKillop declared an Interest as a Member of the Environmental Services Committee as having discussed the Item.

- * **Having declared an Interest, Alderman S McKillop left The Chamber at 10.47am.**

5.2 LA01/2024/0194/F, Site in Portaneevy Car Park, adjacent to B15, Whitepark Road, Ballintoy, Ballycastle

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

Council Interest Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Site for concessionary trading vehicle / trailer / static unit - for sale of hot food, hot and cold drinks

Recommendation

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

Addendum Recommendation

That the Committee note the contents of this Addendum and agree with the recommendation to refuse planning permission for the proposed site for a concessionary trading vehicle / trailer / static unit for the sale of hot food, hot and cold drinks. As the proposal fails to comply with Policy NH 6 of PPS 2, Policies TSM 2 and 7 of PPS16 and Policy CTY 1 of PPS 21 and Paragraphs 4.27, 6.70, and 6.205 of the SPPS.

Senior Planning Officer presented via PowerPoint presentation.

- Item 5.2 was presented to the Planning Committee 28 August 2024 with a recommendation to refuse. Planning Committee voted to defer the application pending amendment of the description to remove the static element of the proposal or seek rationale as to why description should remain unchanged.
- When notified of the outcome of the Planning Committee the agent advised that a paper would be submitted to the Environmental Services Committee on 8 October 2024 for instruction, the paper outlined that a trading working group convened a meeting in March 2024 to discuss each trading site and unit type and both the trading working group and the Environmental Services Committee approved that a static unit be submitted for planning permission on this site. In light of this the Environmental Services committee recommended the item to the full committee in December 2024 for decision. Full council resolved to continue with planning permission as submitted.

- The rationale given for not amending the description was that the trading working group wished to avail of all 3 trading units options where possible to allow bids for the site and flexibility to then install the unit which best suited their business needs.
- Planning Officials have considered the views of the trading working group, the Environmental Services Committee and the Full Council with the provisions of the Northern Area Plan and planning policy and remain of the opinion to refuse. While a static may be possible in some locations, in this instance determining weight is given to the fact that the static unit by reason of its nature and appearance would fail at this high amenity coastal location to be sensitive to the character of the area in terms of design and use of materials. In this case a mobile concessionary vehicle or trailer which would be removed off site at the end of each day could meet the tourism need and would be visually acceptable and comply with policy.
- The site is located in the open countryside, outside of any settlement development limit and within the Causeway Coast AONB and 35m from the Carrickarede ASSI.
- The site is located on car park spaces within the Portaneevy public car park and viewing point, off Whitepark Road, 2km east of Ballintoy.
- The application seeks full planning permission for a site for a concessionary trading vehicle or trailer or static unit for the sale of hot food and hot and cold drinks.
- Planning advised that the static unit was unacceptable but that the mobile vehicle or trailer element which would be removed off site at the end of each day would be acceptable. However, as the agent confirmed that no amendments would be made refusal is recommended.
- Regarding the trading vehicle or trailer by virtue of its modest scale and temporary nature being mobile and being moved off site at the end of each day, weight can be given to its temporary nature and on balance the siting and design would be acceptable in this countryside AONB location. The temporary nature reduces the impact on the openness, setting and character of the site. The vehicle and van element of the proposal is considered to comply with policy.
- The vehicle / trailer element of the proposal could adequately serve tourists and support the tourism economy without having an adverse impact on the AONB location.
- However, the static unit which is a converted 20ft shipping container by virtue of its perceived permanence and appearance fails to comply with policy TSM2 as there is no requirement for the proposal to be permanently sited in this open countryside location, 2km east of Ballintoy settlement development limit. The appearance fails to be sensitive to the surrounding landscape quality and character of the AONB and

countryside location and is contrary to policies TSM7 and NH6. The static element would be a prominent and highly visible feature considering the openness of the site and the location along the western boundary of the car park which is closest to the public road. The static element would fail to integrate into the setting and character of this coastal site. As no overriding reasons have been forthcoming to demonstrate that the static unit is necessary the static element of the proposal is contrary to policy CTY1.

- Refusal is recommended on the basis that the static element of the proposal is contrary to policy.

The Chair invited questions for the Officer.

Councillor Storey proposed the item be deferred for further discussion between Officers to find a resolution, as refusal would close opportunities for Council. Councillor Anderson concurred.

Councillor Watton asked whether there was a static at West Bay, he considered there was not a big difference between a trailer and static, that at night time there was darkness and concurred with Councillor Storey on the way forward.

Senior Planning Officer clarified the view from Planning Committee was conveyed to the Agent and had been advised the matter had gone through Environmental Services Committee and Council and no change was being offered. Senior Planning Officer took on board the comments from Members.

The Chair stated she was unsure legally as the matter had gone through Council and brought back to Planning Committee for determination.

The Head of Planning stated concern a decision had been made in relation to the static element, and she could check if this could be changed within six months of Council.

Alderman Callan considered a Rescinding motion to Council or setting aside Standing Orders could be made.

The Chair advised it required a Legal view.

The Head of Planning suggested to recommend to defer for further discussion and if it required a Rescinding Motion, in order to have a conversation in the first place.

Councillor Storey stated the same course of action would apply to Agenda Item 5.3.

Proposed by Councillor Storey

Seconded by Councillor Anderson

- That Planning Committee defer LA01/2024/0194/F, Site in Portaneevy Car Park, adjacent to B15, Whitepark Road, Ballintoy, Ballycastle for further

consideration and if a recommendation for the Rescinding of the motion needs to be done if recommended, then set aside Standing Orders in order that discussion can be held on an agreed outcome.

The Chair put the motion to the Committee to vote.

10 Members voted For, 0 Members voted Against, 2 Members Abstained.

The Chair declared the motion carried and application deferred.

RESOLVED - That Planning Committee defer LA01/2024/0194/F, Site in Portaneevy Car Park, adjacent to B15, Whitepark Road, Ballintoy, Ballycastle for further consideration and if a recommendation for the Rescinding of the motion needs to be done if recommended, then set aside Standing Orders in order that discussion can be held on an agreed outcome.

- * **Having declared an Interest, Councillor C Archibald remained outside The Chamber for the application.**
- * **Having declared an Interest, Alderman S McKillop remained outside The Chamber for the application.**
- * **Having declared an Interest, Councillor Peacock remained disconnected remotely from the meeting.**

5.3 LA01/2024/0199/F, Site 120m North East of amenity block, West Bay Car Park, Portrush

The Application was considered in conjunction with the previous Item, there was no discussion held.

Recommendation

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

Addendum

That the Committee note the contents of this Addendum and agree with the recommendation to refuse planning permission for the proposed site for a concessionary trading vehicle / trailer / static unit for the sale of ice cream, confectionary and cold drinks at West Bay Car Park, Portrush. The proposal fails to comply with the exceptions of development permissible within the LLPA designation and within an area of open space. The proposed static unit by reason of its in-situ nature and appearance would fail at this high amenity coastal location to be sensitive to the character of the area surrounding the site in terms of design and use of materials.

Proposed by Councillor Storey

Seconded by Councillor Anderson

- That Planning Committee defer LA01/2024/0199/F, Site 120m North East of amenity block, West Bay Car Park, Portrush for further consideration and if a recommendation for the Rescinding of the motion needs to be done if recommended, then set aside Standing Orders in order that discussion can be held on an agreed outcome.

The Chair put the motion to the Committee to vote.

10 Members voted For, 0 Members voted Against, 2 Members Abstained.

The Chair declared the motion carried and application deferred.

RESOLVED - That Planning Committee defer LA01/2024/0199/F, Site 120m North East of amenity block, West Bay Car Park, Portrush for further consideration and if a recommendation for the Rescinding of the motion needs to be done if recommended, then set aside Standing Orders in order that discussion can be held on an agreed outcome.

- * **Councillor C Archibald returned to The Chamber at 11.04am.**
- * **Councillor Peacock rejoined the meeting at 11.04am.**
- * **Having declared an Interest, Alderman S McKillop remained outside The Chamber for the application.**

5.4 LA01/2024/0992/F, 65 Main Street, Bushmills

Report and Presentation were previously circulated, and presented by Senior Planning Officer, M Wilson.

Council Interest Application to be determined by Planning Committee

App Type: Full Planning

Proposal: The proposal seeks a change of use to 3 self contained self catering studio rooms to serve the growing demand for short term guest accommodation in the area. The proposal retains the original ground floor retail unit.

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 for the reasons set out in section 10.

Senior Planning Officer presented via powerpoint presentation:

- Full planning permission is sought for a change of use to 3 self contained self catering studio rooms to serve the growing demand for short term guest accommodation in the area. The proposal retains the original ground floor retail unit.

- This is a Local application and is being presented to the Planning Committee on the basis that it is a Council Interest Item. By way of verbal erratum, and for completeness, at Section 7.0 which sets out Policies and Guidance, PPS 15 Planning and Flood Risk has not been included, as PPS15 is referenced and fully considered in detail in Section 8 of your Planning Committee report at paragraphs 8.27-8.36. A second matter is that page 1 refers to the year 2024 which should be 2025.
- (Slide) This is the red line outlining the application site; the site is located within the Bushmills Settlement Development Limit and Bushmills Town Centre as designated in the Northern Area Plan. The site is also within the Bushmills Conservation Area and Area of Archaeological Potential and is a listed building. A Listed Building Consent accompanies this full application (LA01/2024/0993/LBC). The site is located within Causeway Coast AONB. The building is on the Buildings at Risk Register. This is an application seeking a change of use.
- (Slide) These photos show the front of the building subject of this application, highlighted with the arrow, and surrounding properties, and then a second photo showing the rear of the building of the application site.
- (Slide) These are further photos showing further properties opposite the application site within the Diamond and on Main Street, and then a view from Dunluce Road approaching the Diamond where you can just see the site in the background and some further neighbouring properties around the site.
- (Slide) Turning to the proposal itself, this is the proposed internal layout and floor plans of the scheme, showing the ground, first and second floors, and then the front and rear elevations, including details of the proposed materials and finishes.
- As the application seeks a change of use and relates to self catering tourist accommodation the principle policy test is set out in policy TSM 1 of PPS 16 and the proposal is acceptable in this regard as considered within the Planning Committee report.
- As the building is also listed Historic Environment Division has been consulted and raises no objection. The Proposal therefore complies with the relevant tests in PPS 6 as set out in the Planning Committee Report.

- Consultations were issued to
 - Environmental Health:
 - Northern Ireland Water:
 - DFI Roads:
 - Historical Environment Division – Historic Buildings
 - Historical Environment Division – Historic Monuments

and no objection has been raised.

- DfI Rivers has been consulted and requested a Flood Risk Assessment. Following consideration of a Flood Risk Assessment and the DfI Rivers response under application LA01/2021/1503/F relating to the overall redevelopment of this building which is still live, it is considered that a change of use of the listed building proposed is acceptable within the flood plain having regard to the live approval.
- No third party representations were received for this proposal.
- The proposal complies with all relevant planning policies including the Northern Area Plan, SPPS, Planning Policy Statement 2, Planning Policy Statement 3: (PPS 6) PPS 15 and PPS 16.
- Approval is recommended.

Proposed by Alderman Scott

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 GRANT planning permission for the reasons 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 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 GRANT planning permission for the reasons set out in section 10.

- * **Having declared an Interest, Alderman S McKillop remained outside The Chamber for the following application.**

5.5 LA01/2024/0993/LBC, 65 Main Street, Bushmills

Report and Presentation, were previously circulated, were presented by Senior Planning Officer, M Wilson.

Council Interest Application to be determined by Planning Committee

App Type: Listed Building Consent

Proposal: The proposal seeks a change of use to 3 self contained self catering studio rooms to serve the growing demand for short term guest accommodation in the area. The proposal retains the original ground floor retail unit.

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 Listed Building Consent subject to the conditions set out in section 10.

Senior Planning Officer presented via Powerpoint presentation:

- Listed Building Consent is sought for the change of use to 3 self contained self catering studio rooms to serve the growing demand for short term guest accommodation in the area. The proposal retains the original ground floor retail unit.
- This is a Local consent application and is being presented to the Planning Committee on the basis that it is a Council Interest Item. You have the Planning Committee report and there is a verbal erratum – on page 1 reference to 2024 and should be 2025.
- The site is located within the Bushmills Settlement Development Limit and Bushmills Town Centre as designated in the Northern Area Plan. The site is also with the Bushmills Conservation Area and Area of Archaeological Potential and as it is a listed building, requires listed building consent. A full planning application accompanies this which was presented earlier. The historic building is on the Buildings at Risk Register.
- (Slides) This is the application site as shown earlier. And then moving onto the photos showing the front and rear of the listed building.
- (Slide) This next slide shows the proposed floor plans and internal layout across the 3 floors, and then this final slide shows the front and rear elevations.
- As the building is listed consultation has been carried out with Historic Environment Division who raise no objection to the proposal. The

proposal is considered to meet the requirements of PPS 6 as set out in the Planning Committee report.

- No third party objection has been received.
- Granting of consent is recommended.

Proposed by Alderman Callan

Seconded by Councillor Anderson

- That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to GRANT Listed Building Consent 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 Against, 0 Members 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 GRANT Listed Building Consent subject to the conditions set out in section 10.

- * **Alderman S McKillop returned to The Chamber and joined the meeting at 11.16am.**

5.6 LA01/2024/0996/F, 17 Shelton Meadow, Loughguile

Report, Presentation and Speaking Rights Template for J Simpson, previously circulated, was presented by Senior Planning Officer, J McMath.

Council Interest Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Proposed Side & Rear extension to the existing dwelling

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 set out in Section 10.

Senior Planning Officer presented via PowerPoint presentation:

- This is a full application for a single storey side and rear extension to an existing dwelling at 17 Shelton Meadows Loughguile. Council Interest application.

- The site is located within the settlement development limit of Loughguile as defined by the Northern Area Plan 2016, there are no other specific zonings related to the site.
- The site currently contains a 2 storey detached dwelling with front and rear amenity space and a detached garage.
- The site is located within a residential area.
- The extension is to provide an extended kitchen/dining/utility room and features a mono pitched roof, roof lights and windows on the west and rear elevations.
- The modest scale, mass and finish of the extension is subordinate and in keeping with the host dwelling and the surrounding area. The position of the extension to the rear and the single storey nature will not result in overlooking and will not have an adverse impact on privacy or amenity. The extension will not result in the loss of mature trees or hedging and will not be detrimental to the environmental features of the site. Sufficient space remains within the curtilage for domestic and recreation and the car parking remains unaffected.
- The proposal is in accordance with the SPPS, PPS7 Addendum and associated guidance in that the extension is acceptable in terms of siting, scale and design and successfully integrates in the site functionally and visually and does not negatively impact on the local area.
- Approval is recommended.

In response to Councillor Storey, the Chair clarified the application was a Council Interest Application that related to a member of staff.

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

There were no questions posed.

Proposed by Councillor Kennedy
Seconded by Alderman Stewart

- 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 set out in Section 10.

The Chair put the motion to the Committee to vote.
15 Members voted For, 0 Members voted 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 Sections 7 and 8 and resolves to GRANT planning permission subject to the conditions set out in Section 10.

The Chair declared a recess at 11.23am.

- * **The meeting resumed at 11.33am.**
- * **Having declared an Interest, Alderman Scott did not rejoin the meeting.**

5.7 LA01/2022/1185/F, Site to be developed is within Burnfoot Playing Fields. This is located approximately 50 metres east of "Burnfoot Stores" with address of 297 Drumrane Road, Burnfoot Dungiven

Report and Presentation were previously circulated and presented by the Development Management and Enforcement Manager.

- * **Councillor Watton returned to The Chamber and rejoined the meeting at 11.35am.**

Council Interest Application to be determined by Planning Committee

App Type: Full Planning

Proposal: New modular changing room unit with 102m² floor area to replace existing unit and other associated works including new car parking area, septic tank and storm cell

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 via PowerPoint presentation:

- Proposal comprises provision of a replacement changing room facility and a new car parking area.
- This is presented to the Committee as a Council Interest item.
- In terms of the Northern Area Plan 2016, the site is located within the settlement development limit of Burnfoot. The site is identified as an existing major area of open space. In addition, it is zoned local landscape

policy area- Gelvin/ Roe LLPA. The Northern Area Plan directs to regional policies for outdoor recreation proposals.

- Open Space- The proposal does not result in a direct loss of open space. Rather, it will enhance the open space with the provision of improved changing facilities with car parking. Accordingly, it complies with Policy OS 1 of PPS 8.
- Flooding- The key issue in processing this application was its location within the floodplain of the River Roe. Policy FLD 1 of PPS 15 allows the principle of recreation use and ancillary buildings in floodplains, subject to an acceptable flood risk assessment. Critical to the assessment was demonstration that the development would not have an adverse affect elsewhere through the displacement of floodwater. Through revision to the flood risk assessment, DfI Rivers is now content.
- Design- The proposal comprises a modular, single storey changing room with a mono-pitch roof. While the design is not of a high standard, it offers some betterment to the structure being replaced and on that basis is acceptable.
- Car Park & Access- A new vehicular access is proposed to Drumrane Road, serving a new car park area adjacent the proposed changing room facility. The car park has 6 spaces. DfI Roads has been consulted and is content. The existing roadside hedge can be retained, reducing the visual impact of the parking area.
- Representations- None received.
- Conclusion- The proposal is acceptable and the recommendation is to approve.

Proposed by Alderman Callan
Seconded by Councillor Anderson

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

The Chair put the motion to the Committee to vote.

14 Members voted For, 0 Members voted Against, 0 Members 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.

* **Alderman Scott rejoined the meeting.**

5.8 LA01/2022/0791/F, 57-59 Causeway Street Portrush

Report, Presentation, Addendum, Speaking Rights Template for G McGill, Speaking Rights for P Reid and objection from P Reid were previously circulated and presented by the Development Management Manager.

Objection Item, Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Full Planning Application for residential apartment scheme comprising 6no apartments, landscaping, access off Causeway Street and ancillary 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 GRANT planning permission for 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 to allow the matter of overshadowing to be considered further in accordance with the recommendation set out in 1.4 of this Addendum.

Development Management Manager advised Planning permission was sought for a residential apartment scheme comprising 6 no. apartments, landscaping, access off Causeway Street and ancillary works.

- The site is located within the Portrush settlement development limit as designated in the Northern Area Plan 2016.
- There have been 13 objections and 1 comment received.
- An addendum has been circulated to members it details an objection received this week which provides further details from the objector relating to potential loss of light / overshadowing.
- We are seeking deferral of the application to allow further consideration of the information submitted.

Councillor Watton proposed a Site Visit.

Alderman Callan sought a rationale surrounding the request for a deferral.

In response to Alderman Callan, the Development Management Manager clarified the objection was surrounding windows affected by light and wished to discuss whether a light and shadow survey was required to be submitted by the Agent.

Proposed by Councillor Watton

Seconded by Alderman Callan

- That Planning Committee defer LA01/2022/0791/F, 57-59 Causeway Street Portrush and hold a Site Visit;
- That the Committee note the contents of this Addendum and agree with the recommendation to defer the application to allow the matter of overshadowing to be considered further in accordance with the recommendation set out in 1.4 of this Addendum.

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried and application deferred.

RESOLVED - That Planning Committee defer LA01/2022/0791/F, 57-59 Causeway Street Portrush and hold a Site Visit;

- That the Committee note the contents of this Addendum and agree with the recommendation to defer the application to allow the matter of overshadowing to be considered further in accordance with the recommendation set out in 1.4 of this Addendum.

5.9 LA01/2022/1587/F, Land to the side and rear of 12 Sunset Ridge, Portstewart

Report, Presentation, Speaking Rights Templates for G McPeake, N Loughran, M Acheson, S & C Wilson, and Objection from Dr C Lowery, were previously circulated, and was presented by Senior Planning Officer, M Wilson.

Objection Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Construction of 2no two storey semi-detached dwellings with parking and private driveway upgraded to serve additional dwellings.

Recommendation

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

Addendum Recommendation

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

Senior Planning Officer presented via powerpoint presentation:

- Full planning permission is sought for Construction of 2no two storey semi-detached dwellings with parking and private driveway upgraded to serve additional dwellings.
- This is a Local application and is being presented to the Planning Committee as it is an Objection item. In front of you, you have your Planning Committee Report, an Addendum and there is also a verbal addendum.
- By way of verbal addendum, following publication of the Schedule of Applications for Planning Committee on Wednesday 15th January 2025, a further objection was received after 10am on Monday 20th January seeking an extension of time to allow the objector further time to review the application.
- The objector firstly raises an issue relating to an area of land that they have labelled A in the representation and objects that the developer has not explained the intended use of this area of land. The area of land identified lies outside the planning application site as shown in the Location Plan Drawing labelled 01A. Furthermore, drawing 02G, Site Plan shows that there is a proposed 1.8 metre high close boarded fence that will close off this area, so there is not an open access from the application site.
- The second matter raised relates to the issue of Preliminary Ecological Appraisal [PEA] and the site clearance. The issue of loss of biodiversity and impact upon flora and fauna, is considered in Paragraphs 8.61 – 8.70 of the Planning Committee Report - NIEA; NED was consulted as the competent authority on nature conservation and it raises no objection to the application. This included the submission of a Bat Roost Potential Survey and information around bats which were considered. In reference to this matter. Condition 8, set out in Section 10 of the Planning Committee report (pg. 26) is a specific condition relating to bats. NIEA NED raises no objection.

- The final matter raised by the objector is that there has been destruction of a habitat where bats are regularly observed. If it is suspected that a wildlife crime has been committed, this is an offence under The Wildlife (Northern Ireland) Order 1985 and lies outside of the remit of Planning and should therefore be reported to the appropriate authorities to be dealt with.
- Moving onto the presentation, there have been a total of 40 objections from 10 separate addresses. This application was previously presented to the October 2024 meeting of the Planning Committee as an Objection Item. Following further objection, including that part of the site identified by the red line is within the ownership of No.8 Sunset Ridge, as this had been purchased from the previous owners, and a verbal addendum given at the Committee Meeting, the application was deferred to allow consideration of the challenge to the Planning Application Certificate.
- The Planning Department is now satisfied with the amended red line and Certificate A being signed, and no further objection has been received in this regard.
- During the processing of the application the proposal has been amended from 2no. 2 storey detached dwellings to a pair of 2 storey semi detached dwellings. A summary of the objections is set out in Section 5.1 of your Planning Committee report and in the Addendum.
- The site is located within the Settlement Development Limit for Portstewart. It is not subject to any specific zonings or designations as set out in the Northern Area Plan 2016.
- (Slide) This is a satellite image showing the site in relation to the surrounding development and is identified with the red star within Portstewart.
- (Slide) This is the red line of the application site. You will see the land outlined in blue; no. 12 Sunset Ridge indicating that this property is under the control of the planning applicant.
- (Slide) – Moving to the next slide, this is the site which has been zoomed in to show the extent of the application site and its relationship to the more immediate properties next to the site. To the left of the star is Sunset Ridge, to the right Milford Avenue and then above the star are the properties on Lever Park.

- (Slide) – This next slide shows the proposed layout, and you will see the amenity and parking for the existing property at no.12 and then the proposed semi detached dwellings and the parking and amenity areas. Having regard to the proposal and the surrounding context of the site, it is considered that the proposed dwellings are acceptable having regard to the policies and guidance and as set out in para.s 8.2-8.52 of the Planning Committee report.
- (Slide) Some photos – this photo shows Nos.12&14 Sunset Ridge with the site located to the rear of No.12.
- (Slide) This is now a photo of the site looking NE with properties at Lever Park and Milford Avenue visible.
- (Slide) Just rotating looking in a more easterly direction you will see the relationship between the site and those properties on Lever Park and Milford Avenue.
- (Slide) – This next photo shows the site when looking west towards properties in Sunset Ridge and you can see Nos 10 & 14 as well as no. 12.
- (Slide) This is a photo looking at the parcel of land to the south of site; the properties to the left are properties on Milford Avenue while there are properties on Sunset Ridge to the right which are out of shot. For Members information, Condition 13 seeks the inclusion of a condition imposing the erection of the fence shown in the site layout to ensure this area is protected from anti social behaviour. Members you should also note that part of this land has been removed from the site due to the previous land ownership challenge.
- (Slide) - This next photo shows where the access will come in from Sunset Ridge, next to No.12 where previously a garage was sited which has been demolished to facilitate the access into the site.
- (Slide) –These next 2 photos show the relationship between some neighbouring properties and the site. This first photo is no. 13 Milford Avenue and shows you the site to the rear, and then this next photo (Slide) is taken from between no's 11 & 13 and the relationship between the site and these properties. These 2 properties will have built development closest to them as it is a rear to side relationship.

- (Slide) – This slide shows the proposed floor plans and elevations of the proposal, and you will note these are semi detached dwellings, and present as 2 storey on the front elevation with the roof sloping steeper to the rear and a more acute angle so there is more roof slope on the rear and reads as single storey built form on this elevation. This is due to the change in levels between the proposal and properties on Lever Park which sit on a lower ground level.
- (Slide) – This next slide shows contextual sections which illustrate the change in levels and separation distances between properties.
- No objections have been raised by any consultee, including NED of NIEA who has been consulted through the processing of the application as the competent authority on ecological and conservation matters and has considered the matter of Bats.
- The application is recommended for approval subject to the conditions including a condition relating to bats, as set out in Section 10 of the Planning Committee report.

Councillor Watton asked whether there was a property on the site.

Councillor McMullan enquired whether no. 12 was in the ownership of the developer, he had considered it was being knocked down.

Senior Planning Officer clarified the site was the rear garden of no. 12 and clarified the blue line was in the control of the developer, the garage had been demolished and retained the separate property and a pair of semi-detached houses.

Proposed by Councillor C Archibald

Seconded by Councillor McMullan

- That Planning Committee defer LA01/2022/1587/F, Land to the side and rear of 12 Sunset Ridge, Portstewart and hold a site visit in order to better understand the layout and see it on the ground.

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried and application deferred for a site visit.

RESOLVED - That Planning Committee defer LA01/2022/1587/F, Land to the side and rear of 12 Sunset Ridge, Portstewart and hold a site visit in order to better understand the layout and see it on the ground.

5.10 LA01/2023/0339/O, Approximately 50m NE of 92 Moneybrannon Road, Coleraine

Report, Presentation and Speaking Rights Template for J Martin, previously circulated, were presented by the Development Management Manager.

Referral Application to be determined by Planning Committee

App Type: Outline

Proposal: Proposed Cluster Dwelling & Garage

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 outline 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 refuse planning permission.

Senior Planning Officer presented via powerpoint presentation:

- A site visit was carried out in November and a note was circulated. An addendum was also circulated.
- The application was deferred at the November Planning Committee to allow more time for the consideration of the refusal reasons.
- In referring to the minutes of the November Committee two planning references were raised by the agent during the presentation, one was within the agents speaking notes and is not comparable as it is bound to the north and the Macfin Road to the south with a small site in-between. The case officer approved the application due to the sense of enclosure and meeting all criteria of policy.
- The second reference LA01/2018/0370/F is a change of house type to a commenced dwelling approved under The Planning Strategy for Rural Northern Ireland.
- This application:
 - The application has been considered under PPS 21 Sustainable Development in the countryside Policies CTY 1, CTY 2A.

- The red line of the site located at the junction of the Moneybrannon and the Ballylintagh Road. The site is an open agricultural field that rises to the east.
- The application is being considered under the cluster policy CTY 2a in PPS 21. The Policy states that planning permission will be granted for a dwelling at an existing cluster of development provided all the 6 criteria are met. The 6 criteria are listed in paragraph 8.4 of the Planning Committee report for convenience.
- As set out in the report the cluster of development lies outside of a farm and consists of four or more buildings of which at least three are dwellings. This includes dwellings at no. 92, 94, 93, and approx. 16 terraced dwellings at Ballylintagh Crescent. As well as buildings at (no.96) and sheds to the north (no.20). The proposal is considered to comply with the first criteria.
- Given the amount of buildings in the area and their close proximity to each other, the cluster is considered to appear as a visual entity in the local landscape and meets the second criteria.
- The cluster is located at the crossroads of Moneybrannon and Ballylintagh Road and meets the third criteria.
- With regards to the 4th criteria, the site fails to provide a suitable degree of enclosure and is not bound by development on at least two sides. There is no development within the cluster bounding the site to any of its boundaries. There is a roadside to the north and a roadside to the west. To the east and south there is the remainder of the field. The application fails to meet the fourth criteria in that the site does not have a suitable degree of enclosure and is not bound on at least 2 sides with other development in the cluster.
 - Views on the Ballylintagh Road approaching the junction, the site is on the left.
 - The site from the junction

Some of the arguments have been made that the site is bound on two sides by development across the road. I have attached an appeal to the Planning Committee report for development in clusters.

- The PAC decision for Brisland Road 2019/A0214 was dismissed on similar grounds. In particular paragraph 8 where it states “the presence of the

approximately 8m wide road separating the appeal site from the dwellings on the opposite side of the road results in them not providing a degree of enclosure... and that the development is only bound by development in the cluster to its western side”.

- The two applications the agent referred to differ in that development in the cluster adjoin the site.
- In relation to the 5th criteria as the slides show the development of this site is not rounding off or consolidating development and will significantly alter its existing character and visually intrude into the open countryside.
- Again, this is similar as stated in the quoted appeal that stated “although there is considerable development along Brisland Road, it is absent to the east of the site resulting in the proposal being detrimental to the character, appearance and amenity of the countryside and reinforce the built up appearance.
- The application is recommended for refusal as it fails to meet all 6 criteria, the site is separated from the cluster by 2 roads and verges each more than 20m wide. The site does not have a suitable degree of enclosure and is not bound on 2 sides with development in the cluster. The site cannot be absorbed into the existing cluster through rounding off and consolidation and would visually intrude into the open countryside and if approved would result in a suburban style build up of development which will erode rural character.

There were no questions for the Officer.

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

J Martin stated the matter related to whether the site is bound on two sides within a cluster. He stated the two appeals were different from the site. This site will not extend development but will round off. Previous LA01/2018/0970 stated after appeal was located at cross roads and almost identical to this application. Strongly consider meets Policy CTY21 and therefore meets policies CTY 13 and 14. Ridge height can be restricted.

There were no questions for the speaker or the Officer.

Proposed by Councillor Storey
Seconded by Councillor Kennedy

- That Planning Committee disagrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to Approve outline planning permission for the following reasons:

- Reasons set out in previous minutes
- Cluster and bound on 2 sides.
- Agent has given us information defining crossroads being the development bound on South and North.
- Planning Department agree sits in existing cluster and dwelling will integrate
- Approval 2019/A0214 as rationale – agree with agent appeal decision is not similar due to lack of integration due to roadside vegetation and also extends ribbon development; this proposal will not extent ribbon development therefore rounds off.
- Other permission granted LA01/2021/1215/F considered acceptable.
- Application rounds off, bound on 2 sides and integrates into topography of the site.

The Head of Planning recited the Planning Committee reasons for recommending to approve the application.

The Chair put the motion to the Committee to vote.

11 Members voted For, 2 Members voted against, 2 Members Abstained.

The Chair declared the motion carried and application Approved.

RESOLVED – That Planning Committee disagrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to Approve outline planning permission for the following reasons:

- Reasons set out in previous minutes
- Cluster and bound on 2 sides.
- Agent has given us information defining crossroads being the development bound on South and North.
- Planning Department agree sits in existing cluster and dwelling will integrate
- Approval 2019/A0214 as rationale – agree with agent appeal decision is not similar due to lack of integration due to roadside vegetation and also extends ribbon development; this proposal will not extent ribbon development therefore rounds off.
- Other permission granted LA01/2021/1215/F considered acceptable.
- Application rounds off, bound on 2 sides and integrates into topography of the site.

RESOLVED – That Conditions and Informatives are delegated to Officers.

- * **Having declared an Interest, Alderman Callan left The Chamber at 12.13pm.**

5.11 LA01/2023/1053/F, Lands immediately North of 15 Loughermore Road, Ballykelly, Limavady

Report, Presentation, Speaking Rights Template for M Kennedy and correspondence from the Agent were previously circulated, were presented by the Development Management and Enforcement Manager.

Referral Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Residential development consisting of 6no. detached and 2no. semi detached dwellings and garages. Access off Loughermore Road constructed in accordance with approval Ref: LA01/2018/0106/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 Refuse planning permission for the reasons set out in section 10.

Addendum Recommendation

That the Committee note the contents of this Addendum and agree with the recommendation to refuse the application in accordance with Paragraphs 1.1 and 9 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 application in accordance with Paragraph 1.1 of the Planning Committee report.

Development Management and Enforcement Manager stated new information had been received in line with protocol, he illustrated via maps and advised overlooking was significant, and harmful and not a quality, residential environment, if formally submitted it would be refused.

Development Management and Enforcement Manager presented a Verbal Addendum:

- Yesterday afternoon telephone call with Agent. Proposes to amend design of house type on Plot 3 to include a rear return with pitched roof. This would block the line of sight from the first floor front bedroom windows from Plots 1 and 2 (the proposed pair of semis) to the rear gardens from

Plot 3 onwards. Has prospect of being acceptable. New recommendation to defer to allow consideration of same, readvertisement, further neighbour notification and consultation with NIHE on the social housing units to ascertain if suitable.

The Chair stated it was sad the information had been received at the eleventh hour.

Councillor Storey referred to the term *deleterious* use by the Officer, he felt language could be more user friendly.

Development Management and Enforcement Manager responded the term demonstrable harm would cause people harm in that row was carefully chosen and apt and stated he listened to what the Councillor said.

Councillor Nicholl queried whether the proposal would have to come back to Planning Committee.

The Head of Planning advised it could be within the recommendation that if there was a resolution of issues and was recommended for approval it would not come back to Planning Committee and be delegated to Officers.

Proposed by Alderman Scott

Seconded by Councillor Storey

- That Planning Committee agree to defer to allow consideration of same, readvertisement, further neighbour notification and consultation with NIHE on the social housing units to ascertain if suitable;
- If there is a resolution of issues and is recommended for approval, does not come back to Planning Committee and delegated to Officers.

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 application deferred.

RESOLVED - That Planning Committee agree to defer to allow consideration of same, readvertisement, further neighbour notification and consultation with NIHE on the social housing units to ascertain if suitable;

- If there is a resolution of issues and is recommended for approval, does not come back to Planning Committee and delegated to Officers.

* **Alderman Callan returned to The Chamber and rejoined the meeting at 12.28pm.**

- * **Alderman S McKillop returned to The Chamber and rejoined the meeting at 12.28pm.**
- * **Councillor Watton left The Chamber at 12.28pm.**

5.12 LA01/2024/0037/F, Lands to the immediate north and west of Nos. 5 & 6 Kilnadore Brae, Cushendall

Report, Presentation, Site Visit Report, Speaking Rights Template for E Knudsen & S Emerson) and correspondence from Agent were previously circulated and presented by Senior Planning Officer, E Hudson.

Referral Application to be determined by Planning Committee

App Type: Full

Proposal: Lands to the immediate north and west of Nos. 5 & 6 Kilnadore Brae, Cushendall

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 outline planning permission subject to the reasons set out in section 10.

Senior Planning Officer presented a verbal addendum and cited the correspondence from the agent received 21 January 2025.

Senior Planning Officer presented via powerpoint

- (Slide) Planning Application LA01/2024/0037/F. This is a full application for the retention of a farm shed at lands NW of 5 and 6 Kilnadore Brae, Cushendall.
- (Slide) This is the red line boundary of the site. The site is located within the open countryside as defined in the Northern Area Plan 2016 and within the Antrim Coast and Glens AONB.
- The application is retrospective and was subject to an enforcement notice for the development subject of this planning application. This enforcement notice was appealed to the PAC earlier this year. The appeal considered the merits of the development under this application and the Commission upheld the Councils recommendation for refusal for the development proposed in this planning application. The PAC decision on this was issued on 1st November of this year and is attached to the end of your Committee report.

- This is the site layout drawing. The application fails to be considered under policy CTY 12 of PPS 21. The applicant is considered active and established for the purposes of the policy. The proposal fails to meet part A of policy CTY 12 as it has not been demonstrated that the shed is essential for the efficient use of the agricultural holding. As part of the appeal hearing the applicant provided an inventory of an extensive list of machinery including 11 tractors, 10 trailers 9 items of forage equipment which he said the shed was required to store but which would seem excessive for a farm of this size. At the appeal hearing the appellant stated that the tractors and trailers were purchased after the shed was constructed. As such it demonstrates that the agricultural holding was able to operate without the need for the extensive machinery now acquired. The PAC agreed with this assessment.
- (Slide) An overview of the site and farm grouping.
- The appellant stated that the existing sheds within the holding had reached their capacity and that is why the new shed was constructed. However, inspection of the sheds at the main farm grouping would indicate that the sheds on the holding are underutilised for agricultural purposes. As such, it is considered that sheds exist within the main grouping that could be utilised and the justification for the need for the shed is undermined as a large portion of the machinery was purchased after the shed was built and was not necessary for the efficient operation of the holding. The proposal fails to meet part A of policy CTY 12. The shed is remote from the established farm grouping and it has not been demonstrated that there are no other options available at the main farm grouping or that the current proposal is essential for the efficient functioning of the holding and issues relating regarding health and safety reasons have not been verified. The exceptional test of policy CTY 12 is not met.
- (Slide) Elevations of the shed
- (Slide) View of front of site from the Kilnadore Road
- (Slide) Side view
- (Slide) Rear view
- (Slide) Inside the shed

- (Slide) A view of the shed in the context with dwellings on Kilnadore Brae located adjacent and at a lower level.
- (Slide) This is a view from the rear of no. 5 Kilnadore Brae. Due to the difference in ground level the shed extends to around 9m higher than the residential properties and gives an over bearing and dominant outlook from the rear of these properties. As such the proposal is contrary to part E of policy CTY 12 as it results in a detrimental impact on the residential amenity of dwellings outside the holding. This reason for refusal was also upheld within the PAC decision.
- (Slide) Turning to look at some of the existing sheds within the main farm holding. There are currently 4 sheds within the existing farm grouping – an overview of these are provided in paragraph 8.18 of the Planning Committee report. This is a view along the laneway looking into the farm yard.
- (Slide) View into Shed 2
- (Slide) View inside the shed at the time of site inspection.
- (Slide) Another internal view. A large portion of the sheds are currently under utilised for agricultural use and are being used to house other items not associated with farm activity. As such there is opportunity to re-use, renovate or re-development the existing farm grouping to meet the needs of the farm. It is not considered that a shed of the scale subject to this application is necessary for the size of the applicant's farm holding.
- (Slide) A view of the shed at time of the Planning Committee site visit on Monday. Although it appears that the shed 2 has been tidied up there are still non-agricultural items being stored.
- (Slide) A view inside shed 4 to the front of the site. Again a number of items unrelated to agricultural use. It is considered that these sheds at the front of the site could be re-developed to better meet the needs of modern farming practices and provide better access to and from the farm yard.
- (Slide) Finally the holding also has another farm shed remote from the farm yard further south along Middlepark Road. This represents a 5th shed on the holding. At time of site inspection it was unused but appears to be constructed to house animals. The yard at the front was being used to store scaffolding and what appear to be building materials.

- It is considered that the current 5 sheds would more than meet the needs of the holding. Even if all the present sheds couldn't accommodate all the applicant's equipment the level of machinery acquired by the applicant is disproportionate to the level of farm activity and as such is not necessary for the efficient functioning of the holding and refusal is recommended for the reasons outlined in part 10.

Councillor Storey referred to language used that he said seemed excessive, sheds *underutilised, disproportionate*, he felt it was not within their remit or judgment to indicate how many vehicles or tractors the applicant should have and sought what criteria was used. The consultee for establishing whether far is established is DAERA. It is not for us to make a judgement on the amount of vehicles that are there and would be uncomfortable exercising judgement – look at the merits of the case and the application in front of us.

In responses to questions from Planning Committee members, Senior Planning Officer clarified the following matters:

- The piece of brownfield land approved for housing;
- The reason for the wording was required by Policy for the essential functioning of a farm business, proportionate to what was required for the Farm Business and holding. It is considered that the level of machinery goes beyond what is essential for this farm business. The holding 22 hectares in size and has operated without this additional building and machinery. This was all considered at the Planning Appeal heard by the PAC.

Illustrated the shed, the Marine workshop which was further removed from the properties and not at a higher level, there were trees and not comparable; The Housing development adjacent is at a lower level not elevated; there was no dominance and the separation distance was assessed as part of the application; this shed is on an elevated position. The dwellings at a lower level had not been mentioned as there was no issue, no dominance or overlooking, the houses were not part of this application.

The Head of Planning stated the report was backed up by the PAC decision, there was clear consideration required of the issues. The Head of Planning cited from Policy CTY 12, criteria (a) referring to the efficient use. An assessment is required and officers have provided their professional assessment and this has been provided to Members in the Planning Committee Report.

Councillor McMullan advised the applicant was the biggest potato grower in the area and had left for stated reasons but the family were now wishing to start up again. The two tractors were for the Vintage Club, they had 145 sheep, 23 cows, 15 calves and was not a modest farm in The Glens. The farm had been granted funding by the Gibson Trust to keep old style, the knocking of two sheds into one did not alter the size of the farm yard and there was a matter of health and safety. Councillor McMullan stated the photographs did not contrast the shed, beside it there was a boat yard 10-20ft separated and there was no photograph of the 2-storey housing being erected.

Councillor Peacock concurred with Councillor Storey. The picture of the shed that was not used for agricultural purposes but it is clear that it was' making a judgement on piping, tubing and paint that could be for weather proofing. Councillor Peacock stated it is bizarre that they are being asked to make such a determination. The farmer has put in a significant investment which had been made and considered would not have done so without due cause for the agricultural business.

Alderman Callan referenced policy CTY 12 and the section the Head of Planning had highlighted and cited from the Policy. However, he stated that the justification/amplification continues to support future operational needs of enterprises. Alderman Callan stated that we need to be supporting these farm businesses. He queried how we assess need? We need to look at continual needs of farming – this is for farming and the operational needs of the farm now and in the future.

The Head of Planning advised referred to the PAC decision report of 1 November 2024 and read paragraphs 13 and 14 and cited from the document. A matrix for a Farm Business was not drawn up; it is assessed on a case by case basis based on size of farm and the farming activity including stock. The PAC decision was a material consideration and the language used by Planning Officers reflects the language within Policy and the PAC decision.

Councillor McMullan provided detail on the contents of the shed stating that there are many non-agricultural items in agricultural sheds such as children's bikes, domestic fuel. He referred to the applicant's 2 or 3 sons who all drive cars. He made reference to the scale of the shed at the boat yard and that there are no objections to this application.

The Chair invited Emma-Lisa Knudsen and S Emerson to speak in support of the application.

Emma-Lisa Knudsen stated it had been demonstrated there was a clear need for a shed, each shed was dedicated need - full of hay, bales, farm machinery,

trailer, tractor which can't be stored outside and are required for the functioning of the farm. The Case Officer had suggested there was potential on the existing farm holding. Farm yard space was too tight to turn, reverse manoeuvres very close and someone had to stand in laneway to assist, there was the potential for traffic accidents in the case and therefore the applicant does not perform these manoeuvres at present due to health & safety risks and hence no accidents. Emma-Lisa Knudsen advised Field 3 North West was unsuitable for large machinery, it was very narrow, would require widening and the applicant did not own land. Emma-Lisa Knudsen stated this shed would conflict with grazing. Both buildings provide a backdrop and only the ridges will be visible from public viewpoints. The design aligns with a typical agricultural shed construction; landscape plan has been submitted. There was no impact on residential amenity with the view from nos 5 and 6, planting would provide screening.

S Emerson stated that the machinery was bought by his grandfather. The only reason the shed was built was because in the wet weather you cannot lamb outside and the machinery would rot if left outside.

The Chair invited questions for the speaker.

In response to questions from Planning Committee Members S Emerson outlined family reasons for stopping and wishing to start growing potatoes again. The machinery was used for digging, a harvester, baling, wrapping, there was a keepsake vintage tractor from 1980's or 1990's in the family for 30-40 years. In wet weather machinery would rust. S Emerson outlined the reversing manoeuvring undertaken. The shed was not built beside the cattle shed as it saved driving on the road, and shifting over the road. Whenever PAC visited in September/October they were not lambing and machinery was outside. However, bearings and computers rust and therefore they needed to be put back into the shed. Cannot lamb outside due to risk of pneumonia. Shed is in a dip and has a safe access. Other shed is about 1 mile away and this shed will save people having to help shift stock over the road as they can just let them out into the field.

There were no further questions for the Officer.

Proposed by Councillor McMullan

Seconded by Councillor C Archibald

- 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 Approve planning permission for the following reasons:

- Accept applicant has clearly demonstrated proposal is essential for the function of the farm business;
- There are Health and Safety reasons if machinery was in the farmyard at the home
- Speaker made it clear on how they run their business and how it makes it more dangerous using the laneway; there is also a Nursery School at the bottom
- No neighbours have complained (no's, 5 and 6),
- There will be a planting scheme between the 2 buildings;
- There have been no objections;
- The PAC stated the shed was not essential, however, have heard from the speaker how essential the shed is;
- In consideration of animal welfare;
- The articles are in the shed because of rural theft eg; oil.

The Head of Planning restated the reasons.

The Chair advised there was a typing error in the recommendation that should have said a 'Full' Application.

The Chair, Alderman Hunter requested a Recorded Vote.

The Chair put the motion to the Committee to vote.

9 Members voted For, 3 Members voted against, 1 Member Abstained.

The Chair declared the motion carried and application approved.

RESOLVED – 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 Approve planning permission for the following reasons:

- Accept applicant has clearly demonstrated proposal is essential for the function of the farm business;
- There are Health and Safety reasons if machinery was in the farmyard at the home
- Speaker made it clear on how they run their business and how it makes it more dangerous using the laneway; there is also a Nursery School at the bottom
- No neighbours have complained (no's, 5 and 6),
- There will be a planting scheme between the 2 buildings;
- There have been no objections;
- The PAC stated the shed was not essential, however, have heard from the speaker how essential the shed is;
- In consideration of animal welfare;
- The articles are in the shed because of rural theft eg; oil.

RESOLVED – That Conditions and Informatives are delegated to Officers.

Recorded Vote Table

For (9)	Alderman Callan, Kennedy, S McKillop
	Councillors C Archibald, McGurk, McMullan, Nicholl, Peacock, Storey
Against (3)	Alderman Coyle, Hunter, Stewart
Abstain (1)	Alderman Scott

- * **Councillor Watton returned to The Chamber and rejoined the meeting at 1.05pm during consideration of the Item. Councillor Watton did not vote on the application.**
- * **Councillor Anderson left the meeting at 1.20pm.**
- * **The Chair declared a recess for lunch at 1.35pm.**
- * **Civic Support & Committee & Member Services Officer left The Chamber at 1.35m.**
- * **The meeting reconvened at 2.31pm.**
- * **Committee & Member Services Officer joined the meeting in The Chamber at 2.31pm.**

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

5.13 LA01/2023/0417/F, Referral, 175m SSE of 23 Ballymacrea Road, Portrush

Report, Presentation, Site Visit Report, Erratum, Speaking Rights Template for D Dalzell and C Mayrs, previously circulated, were presented by Senior Planning Officer M McErlain.

Referral Application to be determined by Planning Committee

App Type: Full

Proposal: Refurbishment and conversion (former workshop to a dwelling and former canteen to a garage) with associated landscaping and access

Recommendation

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

Senior Planning Officer presented via powerpoint presentation as follows:

- LA01/2023/0417/F is a Full application for the Refurbishment and conversion (former workshop to a dwelling and former canteen to a garage) with associated landscaping and access at lands 175m SSE of 23 Ballymacrea Road, Portrush.
- This is a local application and is presented to the Planning Committee as a referred item following a recommendation to refuse planning Permission.
- This application was deferred from the November Planning Committee Meeting for a site visit. The site visit was carried out on Monday 20th January.
- The site is located in the rural area as defined in Northern Area Plan 2016 and is not designated for any specific land use within the Area Plan – Part of the application site is located within the designated Craighullier Area of Special Scientific Interest (ASSI), although the buildings subject to conversion are not within the designated area.
- The site comprises the two vacant buildings which are subject to this application namely the single storey canteen/toilet block and the larger workshop unit. The buildings are sited on an area of hardstanding and are bound by an existing access lane to the western side, and a steep rising rockface bounding the site to the eastern/north-eastern side.
- Access to the site is via an existing laneway onto Ballymacrea Rd which provides access to Craighulliar Caravan Park, the application site and continues to the south to provide access to Craighulliar landfill site located to the south/west of the application site.
- There is extensive planning history covering the application site and adjacent lands which largely relate to their former use as a quarry and latterly a concrete blockworks as well as the current use of adjacent lands as a landfill site and holiday park.
- Application LA01/2023/0418/F - which relates to the refurbishment and conversion (former blacksmiths forge to dwelling and former shed to annex) with demolition of former showroom and weighbridge building, associated landscaping and access works is sited approximately 100m north of the application site. This application is currently under consideration by the Planning Department.

- As this application relates to the conversion and re-use of existing buildings it falls to be determined under paragraph 6.73 of the SPPS and Policy CTY 4 of PPS 21.
- Policy CTY 4 of PPS 21 states planning permission will be granted to proposals for the sympathetic conversion, with adaptation if necessary, of a suitable building for a variety of alternative uses, including use as a single dwelling, where this would secure its upkeep and retention.
- However, Paragraph 6.73 of the SPPS introduced a stricter policy test for the conversion and re-use of buildings, advising that provision should be made for the sympathetic conversion and reuse of a 'locally important building', noting that locally important buildings can include those such as former school houses, churches and older traditional barns and outbuildings.
- Paragraph 1.12 of the SPPS outlines that any conflict between the SPPS and any policy retained under the transitional arrangements must be resolved in the favour of the provisions of the SPPS. Therefore, the subject buildings must be deemed to be 'locally important'.
- The buildings under consideration for conversion are a former workshop (dwelling) and a former canteen (garage). Both buildings are constructed from blockwork with the workshop having a stepped flat reinforced concrete roof while the former canteen has a corrugated tin roof.
- Supporting information has been provided which details the historical background of the site and its quarry at an industrial scale from 1908-1960. The document advises that the workshop would have been erected in the period 1950 – 1966 while the canteen/toilet block would have been erected in the period 1966-1980
- The agent argues that while the buildings are of no special architectural merit in terms of their style etc., the buildings have architectural interest in that the buildings have 'group value' when considered with the other buildings on the site. Additionally, it is argued that the buildings are of historical interest in terms of their authenticity and age.
- While the buildings may be approximately 60-70 years old the design and finishes of the buildings are not of any significant architectural merit or importance worthy of retention, nor do they make a valued contribution to the local setting.

- In regard to the historic merit of the subject buildings it is noted that these buildings were constructed, in particular, the canteen building, during the later stages of the quarries operational period, and as such any historical merit would be limited.
- Officials consider that the workshop and canteen are not 'locally important' buildings given the lack of architectural and historical merit. While the wider environs may have some economic importance historically, the proposed buildings do not in their own right.
- This assessment is in line with the Planning Appeals Commission's assessment of locally important buildings as set out in Planning Appeal 2019/A0056 (Appendix 1), notably Paragraph 10, which assessed the age, style and local importance of the subject building and found it to be of limited value, both architecture and history, despite being approximately 80 years old.
- Officials are content that the proposal meets with criteria a-h of Policy CTY4
- The scale and design of the proposed buildings, including the alterations and extensions proposed to both buildings are considered to be acceptable. As the proposal relates to the conversion of existing buildings the proposal will not have a significantly greater visual presence within the landscape than what currently exists. Views of the proposal will be largely limited to the immediate vicinity of the site, and from the adjacent Craighullier Holiday Park. The proposal is considered to be compliant with Policy CTY 13 and 14
- Consultation was carried out with DFI Roads, NI Water, Historic Environment Division and DAERA who raised no concerns.
- Environmental Health have highlighted that occupants may experience loss of amenity from noise from the holiday park and landfill sites and odour from the landfill site and from surrounding agricultural activities, but have not recommended refusal on these grounds.
- In Conclusion the proposal is contrary to Paragraph 6.73 of the SPPS in that the buildings to be converted are not considered to be locally important buildings.
- In addition, no overriding reasons have been forthcoming as to why the development is essential, therefore the proposal is contrary to CTY1.
- Refusal is recommended

Councillor Storey referred to the list of locally important buildings cited in paragraph 6.73 of SPPS and queried if this was an exclusive list. In response the Senior Planning Officer confirmed that the list in 6.73 of SPPS which refers to the types of buildings that can be considered significant is not exhaustive, but it does highlight the types of buildings that are significant socially or architecturally.

The Chair invited D Dalzell to speak in support of the application.

D Dalzell stated that there have been no objections to this application including from statutory consultees.

D Dalzell stated that in relation to Planning Policy Statement 21 it was noted that the Planners are now content that the proposed development meets all the criteria of Policy CTY4. D Dalzell stated that the building is a permanent construction, the design respects and conserves the original form, character and architectural features. D Dalzell stated that minimal new works and extensions have been sensitively designed to be sympathetic to the existing building and original design and architectural style. D Dalzell stated the proposal will have no adverse impact on nearby residents or continued operations on adjoining land, the nature and scale of the development is appropriate to the setting which is well back from the public road. D Dalzell stated that the site will be enhanced with new planting.

D Dalzell stated that the buildings have been out of use for some time and are in a state that has attracted anti-social behaviour – they need a positive new use. D Dalzell stated all necessary services are on site or can be provided without significant adverse impact on the locality and the access arrangements have satisfied DfI Roads.

D Dalzell stated that the proposal will not have a significant effect on the Craighulliar Area of Special Scientific Interest.

D Dalzell cited SPPS 6.7 and stated that the Planners consider the proposal to be compliant with Policies CTY13 and CTY14 therefore, as it integrates and is appropriately designed it is also compliant with SPPS paragraph 6.73. D Dalzell stated that the Planners have failed to give proper weight to the SPPS, which states that sustainable development should be permitted. D Dalzell stated that this reuse of existing buildings is an inherently sustainable form of development which is supported by planning policy and the Council's wider drive towards making better use of resources and combating climate change.

D Dalzell stated that SPPS paragraph 6.73 gives examples of the buildings that could be considered locally important. D Dalzell stated that other types of buildings with industrial heritage value must be considered locally important and questioned why historic quarry buildings cannot also be considered.

D Dalzell stated that the Planners should not dismiss these buildings as not being locally important, the old workshop is one of the most interesting buildings in the locality. D Dalzell provided a brief history of the buildings and explanation of why the buildings should be reused.

D Dalzell stated that Ireland's leading industrial archaeologist, Dr Fred Hammond, has assessed the buildings and concluded that they are of heritage interest as tangible reminders of the quarry's evolution. It is indisputable that these buildings are of local historic interest and are of local importance. D Dalzell stated that by recommending refusal of the reuse and refurbishment of these buildings, the planners are sending out a message that vernacular buildings and buildings with industrial archaeological interest but otherwise without statutory protection, are not worth retaining.

D Dalzell stated that the example of a barn conversion appeal provided by the Planners is not comparable to this proposal because in that case the existing building was a very rudimentary farm shed without the historical context of this proposal, and the proposed conversion involved extensive alterations and extensions that, the Commissioner felt, would have resulted in the loss of the character of the original building.

D Dalzell stated that now that the landfill site is set to close, it is expected that Council will be looking to possible future uses for Craighulliar that may include public access and hopefully interpretation of the geological features on the site. D Dalzell stated that we want these industrial heritage buildings to remain as a key part of that historic story and to demonstrate how old buildings in the countryside can be sympathetically conserved and repurposed for the future.

Councillor Storey queried what would happen to the buildings if application is not approved.

In response D Dalzell stated that other buildings on the site have been demolished for development and that this proposal is a viable use of the buildings and causes no harm to the countryside or landscape setting. In response to further questions D Dalzell provided more details of Dr Hammond's remarks. D Dalzell stated that one element of sustainability is to reuse and although this is not a listed building it is an important building in the history of Portrush.

Councillor Storey stated that there are two competing narratives one of which is from a professor in his field as industrial archaeologist and queried which one should be used. He stated that Dr Hammond has seen the building and asked D Dalzell to expand further on this point.

D Dalzell stated that the SPPS does not define what is locally important; Dr Fred Hammond however wrote a book on the Industry of Mining and the importance of the story it tells – mining, then quarrying and building built as lorries came in. If lost there will not be much industrial buildings left to tell the story. Future generations will value it and want to know the story. For the building to be preserved it must be used. D Dalzell stated that the SPPS wasn't meant to be more restrictive; this is a sustainable use of the building. He stated that Craighulliar is a very interesting place. Locally we don't know our own history and what better way to sign post it than with old buildings. Buildings are not statutory protected but there is nothing else like it.

Councillor Storey asked for comments from the Planning Officer in relation to the conflict between Dr Hammon's comments and planning officers.

In response the Senior Planning Officer advised that the SPPS put stricter test than policy CTY4 of PPS21 to allow consideration of local importance, and it is not the intention for all permanent buildings to be eligible. These buildings have limited local industrial heritage, other buildings on the site have been removed and the wider site repurposed. If the buildings removed were not locally important then neither is this building.

The Chair read the recommendation and sought a proposal.

Proposed by Alderman S McKillop

Seconded by Councillor Storey

- That the Committee has taken into consideration and disagrees with the reasons for recommendation set out in Section 9 and the policies and guidance in sections 7 and 8 and resolves to approve planning permission for the following reasons

- The buildings are of local importance because of the historical aspects of mining and quarrying
- Essential in a rural location to retain buildings and reuse
- Want to see the building retained and the viable use meets the sustainable development criteria
- Policy CTY4 is met as agreed by Planning Officers
- Policies CTY13 and CTY14 – when you logically read across they are in keeping with SPPS.
- There is considerable weight on the comments made by Dr Fred Hammond

The Chair put the motion to the Committee to vote.
12 Members voted For, 1 Member voted against, 1 Member Abstained.
The Chair declared the motion carried and application approved

RESOLVED - That the Committee has taken into consideration and disagrees with the reasons for recommendation set out in Section 9 and the policies and guidance in sections 7 and 8 and resolves to approve planning permission for the following reasons

- The buildings are of local importance because of the historical aspects of mining and quarrying
- Essential in a rural location to retain buildings and reuse
- Want to see the building retained and the viable use meets the sustainable development criteria
- Policy CTY4 is met as agreed by Planning Officers
- Policies CTY13 and CTY14 – when you logically read across they are in keeping with SPPS.
- There is considerable weight on the comments made by Dr Fred Hammond

RESOLVED - that Conditions and Informatives are delegated to Officers

- * **Senior Planning Officer, M McErlain, left The Chamber at 3.06pm**
- * **Senior Planning Officer, M McErlain, returned to The Chamber at 3.12pm during consideration of the following item**

5.14 LA01/2024/0170/O, Referral, Approximately 35m South West of 344 Craigs Road, Rasharkin

Report, Presentation, Site Visit Report, Speaking Rights Template for J Martin were previously circulated by Senior Planning Officer R McGrath.

Referral Application to be determined by Planning Committee

App Type: Outline

Proposal: Proposed Infill Dwelling and Garage

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 full planning permission subject to the reasons set out in section 10

Senior Planning Officer presents via powerpoint presentation as follows:

- The next item is an application for outline planning permission for a new dwelling under policy CTY8.

- The application was presented to Planning Committee in November and deferred for a site visit which took place on Monday.
- (Slide) Location Plan - The site is located Southwest of No. 344 Craigs Road Rasharkin, approx. 2km south of Rasharkin; which is within the rural area as identified within the Northern Area Plan (NAP) 2016.
- (Slide) Aerial view of agricultural field 344 and the other buildings at the end of the lane to the south.
- Policy CTY 8 outlines a presumption against development which creates or adds to ribbon development. An exception will be permitted for the development of a small gap site sufficient only to accommodate up to a maximum of two houses.
- The gap site must be within an otherwise substantial and continuously built-up frontage, which is defined as a line of 3 or more buildings along a road frontage.
- The development must respect the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements.
- (Slide) Taken from the corner of 344. You can see the other buildings at the end of the laneway to the south.
- As you can see from the site photos, there is no sense of continuous built-up development along the laneway, in fact the field which hosts the application site provides broad open views across the surrounding countryside and beyond.
- (Slide) Taken the bottom of the lane beside the disused buildings looking north towards 344.
- At 117m from building to building, the gap site could not reasonable be considered to be a small gap site. And as you can see from the slides the gap is not within a substantial and continuously built up frontage.
- No. 344 Craigs Road is the only dwelling with a frontage to the lane.
- The application argues that the small garage associated with 344 and the buildings 117m to the south, contribute to the built-up frontage.

- The agent referred to a planning appeal ref' 2021/A0094 with regards including the garage of No. 344 Craigs Road within the assessment of a substantial and continuously built up frontage;
- In considering the appeal the commissioner stated that “the garage can be seen and sits in the landscape as a building in its own entity that is clearly detached from the dwelling”.
- However, in this case, the garage belonging to No. 344 Craigs Road is very small in scale and is easily missed when travelling along the laneway. It could not be argued that the garage sits in the landscape as a building in its own entity, that is clearly detached from the dwelling.
- As you can see from the photos no.344 is read as a single building with the garage barely evident at the base of the tree.
- (Slide) shows some of the buildings at the end of the lane.
- The buildings do not have frontage onto the laneway as the lane terminates once it reaches the buildings. At this point you enter into the private curtilage associated with the buildings.
- The application states that “it could be argued that the laneway continues through the farm and travels for a further couple of fields.”
- As you can see from the aerial photo and as was observed by the members who attended the Site Visit, this is not the case. The laneway identified on the location plan no longer exists.
- (Slide) The policy also states that development must respect the existing development pattern along the frontage in terms of size, scale, siting and plot size.
- The plot width of No. 344 Craigs Road is 28m. Whilst the buildings to the south don't have frontage onto the lane, the plot has a width of 15m. Based on the 28m frontage of 344, the gap site is large enough to accommodate 4 dwellings and as such is clearly contrary to policy CTY 8.
- In addition to policy CTY8 the proposed pattern of development would be detrimental to character of the rural area by creating ribbon development along this laneway, resulting in a suburban style build-up of development, and as such is contrary to policy CTY 14 of PPS 21.
- The proposal is contrary to policies CTY 1, CTY8 and CTY14 of PPS 21.

- Refusal is recommended.

Councillor Storey sought guidance on how to assess this application and the following application separately as they affect each other.

Senior Planning Officer advised that that the agent sought to submit 2 applications and that Officers have been mindful of both during consideration of each application. Senior Planning Officer advised that there is only 1 building in the laneway and there needs to be 3 for an infill dwelling and that the plot size could fit 2 dwellings.

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

J Martin stated that the predominant reason for refusal relates to the principle of ribbon development and the proposals adherence to this. J Martin cited 5.33 of PPS21 and stated that Appeal 2021/A0094 was raised with the Planning Department but they have dismissed the precedent set within this as the garage at no.344 Craigs Road is not large. J Martin stated that it is his opinion that the proposal and the appeal are identical in these terms and provided further explanation of how this so and how there is a ribbon development and this element of the policy is met.

J Martin stated that in relation to the second element of policy CTY8 in respecting the ribbon in terms of frontage and plot size, the frontage length of no.344 Craigs Road is larger than previously stated as the curtilage was extended under a previous application, which would mean the gap can only accommodate 2 houses between buildings and not 3, making it comply with this policy.

J Martin stated that the case officers report states that the proposal could integrate into the landscape with a carefully selected ridge height and some screen planting but as they do not determine the sites to be infill so it fails. J Martin stated that he believes that the proposal is within the provisions of policies CTY1 & CTY8 of PPS21.

In response to questions J Martin stated that the most recent ordinance survey map was purchased for the application, that the building in the South West corner has been demolished so the site has been made into one large field. J Martin stated that the laneway goes past one field now and whilst reduced in size it still goes past the house. J Martin referred to the map on screen and stated there is approval to retain a structure and build one dwelling but this cannot be considered at present as building work has not commenced.

Further discussion occurred regarding the measurements of the frontages along the laneway with several Elected Members seeking clarity. Questions were answered by J Martin and the Senior Planning Officer and Elected Members.

Proposed by Councillor Storey

Seconded by Alderman Scott

- That the Committee defer application LA01/2024/0170/O for one month for clarity of measurements of plot sizes.

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 applications deferred for a site visit.

RESOLVED - That the Committee defer application LA01/2024/0170/O for one month for clarity of measurements of plot sizes

5.15 LA01/2024/0172/O, Referral, Approx. 75m South West of 344 Craigs Road Rasharkin

Report, Presentation, Site Visit Report, Speaking Rights Template J Martin were previously circulated.

Referral Application to be determined by Planning Committee

App Type: Outline

Proposal: Proposed Infill Dwelling and Garage

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 full planning permission subject to the reasons set out in section 10

Proposed by Councillor Storey

Seconded by Alderman Scott

- That the Committee defer application LA01/2024/0170/O for one month for clarity of measurements of plot sizes.

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 applications deferred for a site visit.

RESOLVED - That the Committee defer application LA01/2024/0170/O for one month for clarity of measurements of plot sizes

5.16 LA01/2023/1187/F, Referral, 10 Clagan Park, Aghadowey, Coleraine

Report, Presentation, and Speaking Rights Template J Simpson were previously circulated by Senior Planning Officer R McGrath.

Referral Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Proposed new domestic shed and extension to curtilage

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

Senior Planning Officer presented via powerpoint presentation as follows:

- (Slide) The next item is an application for Full planning permission for a new domestic shed and extension to the existing curtilage.
- Verbal Erratum wrong policy in the conclusion in 9.1 of the committee report should refer to policy EXT1 of the APPS7 and Policies CTY13 and 14 of PPS21.
- (Slide) The site is located at No. 10 Clagan Park which is to the west of the Agivey Road and the River Bann and is within the rural area as identified the Northern Area Plan 2016.
- (Slide) Block plan
- As a domestic shed the application falls to be considered under Policy EXT1 of the Addendum to Planning Policy Statement 7, Residential Extensions and Alterations, the location within the rural area requires the application to also be assessed against PPS21.
- Policy EXT 1 of APPS7 indicates that planning permission will be granted for a proposal to extend or alter a residential property subject to criteria, specifically that the scale, massing, design and external materials of the proposal are sympathetic with the built form and appearance of the existing property and will not detract from the appearance and character of the surrounding area;
- Annex A: of the APPS7 provides Guidance for Residential Extensions and Alterations

- The guidance indicates that garages and sheds should be subordinate in scale and similar in style to the existing property, taking account of materials, the local character and the level of visibility of the building from surrounding views.
- (Slide) The proposal is for an extension of curtilage to host a domestic shed. The shed is to measure 26.3metres by 10.65metres, finished in a pitched roof measuring 7.6metres in height above ground level.
- The floorplan of the shed indicates that the shed will host a domestic digger, hay for animals, cars, horse box, farm roller, telehandler, small HGV and flatbed trailer.
- It is considered that this proposed shed is not domestic in size or scale. As the floorplan indicates, it would appear this shed is for agricultural purposes rather than domestic.
- The agent provided information relating to agricultural use on the site however, as an application for a domestic shed this cannot be considered under the current application.
- Therefore, the proposal fails Policy EXT 1 of PPS7.

PPS21

- In considering the proposal under PPS21 the shed and the contrived extension to the curtilage will appear incongruous in the landscape. The shed is solely reliant on proposed planting to achieve integration and given the roadside location, critical views of the building will be available when travelling on both directions along Clagan Park.
- In conclusion, it is considered the scale, massing, design and external materials of the proposal are not sympathetic with the built form and appearance of the existing property. The lack of boundaries around the site will make the proposed shed appear incongruous in the landscape and is unacceptable as a domestic shed. The proposal therefore fails policies EXT1 of the APPS7 and CTY13 and CTY14 of PPS21.

In response to questions the Senior Planning Officer advised that the application was for a domestic shed, but the information submitted as part of the application showed agricultural use of the shed.

In response to questions the Senior Planning Officer advised an option for the applicant was to withdraw and resubmit their application.

Further discussion ensued regarding deferring the application to allow the applicant to resubmit their application. The Head of Planning provided clarity on procedure stating that Council cannot insist the applicant submits a new application nor can we withdraw the application.

Proposed by Councillor Kennedy

Seconded by Alderman Callan

- That Planning Committee defer application LA01/2023/1187/F for one month to allow the applicant the option to revisit the application.

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried and application deferred.

RESOLVED - That Planning Committee defer application LA01/2023/1187/F for one month to allow the applicant the option to revisit the application.

5.17 LA01/2023/0187/F, Referral, 25 Church Street, Limavady

Report, Presentation, Speaking Rights Template for C Cochrane, were previously circulated.

Referral Application to be determined by Planning Committee

App Type: Full

Proposal: Change of use of existing outbuilding with WC to a one bed self contained dwelling. New pedestrian opening in boundary wall. Associated external works to create external amenity space.

Recommendation

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

The Head of Planning advised the Planning Committee that the agent for this application had been called away on a family emergency and suggested deferring the application for one month.

Proposed by Alderman Hunter

Seconded by Councillor C Archibald

- That the Committee defer application LA01/2023/0187/F for one month due the agent being called away for a family emergency.

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 application deferred

RESOLVED - hat the Committee defer application LA01/2023/0187/F for one month due the agent being called away for a family emergency.

- * **Development Management & Enforcement Manager left The Chamber at 3.06pm**
- * **The Chair declared a recess at 3.52pm.**
- * **The meeting reconvened at 4.08pm.**
- * **Alderman S McKillop rejoined the meeting in The Chamber at 4.19pm**
- * **Councillor Anderson rejoined the meeting in The Chamber at 4.19pm**

Having declared an interest in the following two applications, Alderman Hunter vacated the Chair and left the Chamber.

Councillor Watton, Vice Chair, assumed the Chair.

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

5.18 LA01/2023/0692/O, Referral, Between 88 & 90 Haw Road, Bushmills

Report, Presentation, Erratum and Speaking Rights Template for J Simpson, previously circulated, were presented by Senior Planning Officer M McErlain.

Referral Application to be determined by Planning Committee

App Type: Outline

Proposal: Proposed Infill Dwellings and Garages.

Recommendation

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

Senior Planning Officer presented via powerpoint as follows:

- LA01/2023/0563/O is an Outline application for the provision of 2 Infill dwellings and garages at lands Between 88 & 90 Haw Road, Bushmills.
- This is a local application and is presented to the Planning Committee as a referred item following a recommendation to refuse planning Permission
- The site is located in the rural area as defined in Northern Area Plan 2016 approximately - The site is not located within any environmental designated sites.

- The application site as defined by the red line boundary encompasses the majority of the roadside portion of a larger agricultural field. A strip of land to the northern end of the application site has been retained to maintain access. Access to the site is proposed via the construction of a new paired access onto Haw Road.
- The west boundary is defined by the roadside hedge. The northern and eastern boundaries are undefined through the open field. The south boundary is comprised of a post and wire fence, hedge and a timber fence to the adjacent semi-detached property.
- There is no previous planning history on the site. Planning history on the adjacent lands to the north and south of the application site is set out in Section 3 of the Planning Committee Report.
- As this application has been submitted as an infill dwelling it falls to be determined under paragraph 6.73 of the SPPS and Policy CTY 8 of PPS 21.
- Policy CTY8 allows for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage provided these respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements.
- To the south of the application site are two pairs of semi-detached dwellings and a detached dwelling beyond. To the north of the application there is a Church Hall, which is separated from the application site by the remainder of the agricultural field in which the application site is sited. All of the aforementioned plots have a direct frontage onto Haw Road. It is therefore accepted that there is a substantial and continuously built-up frontage at this location.
- The average frontage measurement along the substantial and continuously built-up frontage is 14.1m.
- Paragraph 5.34 of PPS21 outlines that the gap to be considered is between buildings (building to building).
- The gap (building to building) between the dwelling at No. 90 and the Church Hall to the north of the site is approximately 87.5 m.

- When assessed against the average plot widths along the frontage, the gap is capable of accommodating 6 dwellings. The gap is excessive in size when assessed against the existing character/pattern of development in the area.
- The Average plot size of the plots within the built-up frontage = 823 square metres
- Each plot within the application site has an average area of 898 square metres which are comparable in size. However, this is only due to the fact that the character of the proposed plots significantly differ from the adjacent pattern of development
- The established pattern of development of the dwellings to the south comprise narrow, linear plots. The plot shapes for the proposed sites are significantly wider to the road frontage and extend back from the road significantly less. This form of development is not reflective of the established pattern of development along the frontage
- Additionally, the infilling of this site would add to existing development along the road frontage, resulting in the addition to ribbon development, which is detrimental to the character, appearance and amenity of the countryside, which is also contrary to Policy CTY8.
- Given the proposed development does not represent a small gap site capable of accommodating a maximum of two dwellings, is not reflective of the established pattern of development within the frontage and would result in the addition to Ribbon Development along Haw Road the application fails to comply with Paragraph 6.73 of the SPPS and Policy CTY8.
- Additionally, as the proposal is not reflective of the established pattern of development within the frontage and would result in the addition to Ribbon Development along Haw Rd the application fails to comply with Paragraph 6.70 of the SPPS and Policy CTY14.
- As this is an outline application no detailed plans have been submitted regarding the design of the dwelling.
- Views of the application site are obtained over a relative short distance and are screened by the adjacent development and vegetation to the north and south of the site. While the site lacks long established natural boundaries to two boundaries and provision of the access will further remove existing vegetation Planning Officials consider that the existing

buildings coupled with the retention of the existing vegetation to the northern field boundary would allow dwellings of an appropriate size to satisfactorily integrate into the landscape.

- While additional and compensatory landscaping would be required the proposal would not wholly rely on the use of new landscaping for enclosure and integration. The proposal complies with Paragraph 6.70 of the SPPS and Policy CTY13 of PPS21.
- Consultation was carried out with DFI Roads, Environmental Health, NI Water, DAERA Water Management Unit, Historic Environment Division and Northern Ireland Electricity who have raised no concerns.
- In Conclusion the proposal is contrary to Paragraphs 6.70 and 6.73 of the SPPS and Policies CTY8 and CTY14 of PPS21 in that the application site is does not constitute a small gap site within an otherwise substantial and continuously built-up frontage, would add to ribbon of development along Haw Road and would fail to respect the traditional pattern of development of the area.
- In addition, no overriding reasons have been forthcoming as to why the development is essential, therefore the proposal is contrary to policy CTY1.
- Refusal is recommended.

In response to questions the Senior Planning Officer advised that the average frontage length is 14.1m and the gap could accommodate 4 plots. The Senior Planning Officer advised that there is no figure to define a small plot size in the policy, it is reflective of the pattern of development. Senior Planning Officer confirmed the application does not comply with policy CTY14 as it does not meet the infill policy so would add to the linear form of development.

Proposed by Councillor Kennedy

Seconded by Councillor Storey

- That Planning Committee defer application LA01/2023/0692/O and hold a site visit.

The Chair put the motion to the Committee to vote.

11 Members voted For, 0 Members voted against, 1 Member Abstained.

The Chair declared the motion carried and application deferred for a site visit.

When asked by the Head of Planning Alderman S McKillop stated no vote due to being out of The Chamber at the beginning of this application.

RESOLVED - That Planning Committee defer application LA01/2023/0692/O and hold a site visit.

* **Development Plan Manager joined the meeting in The Chamber at 4.25pm**

5.19 LA01/2023/0043/F, Referral, Lands approx 55m South East of, 36 Seacon Park, Ballymoney

Report, Presentation, and Speaking Rights Template for M Bell, previously circulated, were presented by Senior Planning Officer E Hudson.

Referral Application to be determined by Planning Committee

App Type: Full

Proposal: Erection Of Agricultural Storage Shed For Storage Of Machinery, Materials And Equipment Used In Connection With Cow Hoof Trimming Services And All Associated Works. Main Farm Dwelling Approved Under LA01/2020/0524/F Currently Under Construction

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 outline planning permission subject to the reasons set out in section 10.

Senior Planning Officer presented via powerpoint presentation as follows:

- (Slide) Planning Application LA01/2023/0043F. Is a full application for the erection of agricultural storage shed for storage of machinery, materials and equipment used in connection with cow hoof trimming services and all associated works and this is located at lands approx. 55m South East of, 36 Seacon Park, Ballymoney.
- (Slide) This is the red line boundary of the site.
- (Slide) This is the site layout drawing.
- The application site is adjacent to a new dwelling under construction. It is understood this is where the applicant will reside following completion. The access is off Seacon Park Road with a link also to the applicant's dwelling. There are existing small scale buildings located to the front of the dwelling which are conditioned to be retained.
- The application falls to be considered under policy CTY 12 of PPS 21. DAERA have confirmed that the applicant has claimed SFP for the years

2019, 2020 and again in 2024. The applicant had leased the land to a third party for the intervening 3 years for which a different farm business ID number was claiming SFP. The application is described as agricultural storage of machinery, materials and equipment used in connection with cow hoof trimming services. Although this service serves the agricultural sector it is not in itself agricultural in nature rather a commercial use. Agricultural activity is defined in PPS 21 and the SPPS as 'production, rearing or growing of agricultural products including harvesting, milking, breeding and keeping animals or maintaining the land in good agricultural condition. Supporting information was received which re-iterated that the farm land was rented out to a third party at this time but that the applicant continued to maintain the land through ploughing, re-seeding and drainage works and fence repairs. Photographs were submitted indicating activities of this sort but were not dated and to not provide evidence that they are for the land associated with the farm business. In addition insurance/finance agreements for machinery were submitted. Some of these do not relate specifically to agricultural equipment and are dated more recently. As such, it has not been demonstrated that the farm holding has been active and established for the required 6 years.

- In additional to this policy CTY 12 has a number of other criteria to consider including that it is necessary for the efficient use of the agricultural holding. The existing holding is small at 5.21 ha. The summary of claims made in 2024 identify that the farm holding comprises 5 fields however supporting maps identify a single field, that of the application site. Information regarding farming activity is limited, the full extent of the holding has not been identified, and information submitted does not demonstrate that the proposal is necessary for the efficient use of the agricultural holding rather it primarily relates to the applicant's commercial business. As such it also fails criteria A of policy CTY 12. The remainder of the policy is complied with.
- (Slide) Floor plan on the proposed shed. Our understanding is that the cow hoof trimming business is mobile and that the piece of machinery is towed by a pick-up truck.
- (Slide) Elevations
- (Slide) Photos – Access point
- From the road the shed would sit at a lower level and would adequately integrate.
- Recommendation to refuse as outlined in part 10 of Committee report.

Councillor Storey queried if the issue is only with policy CTY12 criteria (a0 and that all other criteria are met.

In response the Senior Planning Officer advised that there is a need to establish if the farm holding has been active and established for 6 years. Senior Planning Officer advised that the applicant had not demonstrated that the holding had been active and established in their name as there was a break of 3 years in the Single Farm Payments and the receipts received by the Planning Department were too recent.

Councillor McMullan queried whether the proposal could be considered as farm diversification and stated that it is not compulsory to claim SFP.

In response the Senior Planning Officer advised that the farm business for farm diversification must be active and established. She stated that the business serves the agricultural sector but is not agricultural in nature. The Senior Planning Officer advised that the agent was asked for evidence to show the farm holding was active and established for 6 years and the evidence provided was photographs that were not dated, some insurance details, a recent hire purchase agreement, some receipts for the hoof trimming business and not over the required 6 years. The Senior Planning Officer advised that there was plenty of opportunity to provide the required evidence. The Senior Planning Officer confirmed that policy CTY12 reverts to policy CTY10 about agricultural activity.

Alderman Callan stated that farming activity includes the maintenance of the land and queried the evidence provided.

The Senior Planning Officer advised that someone else was claiming the SFP on the land. The agent advised that there had been ploughing and reseeded but no evidence of this was provided.

Councillor Storey queried how to define a farm business and referred to policy CTY10. He stated that DARD had confirmed that there is a farm business in existence for more than 6 years. Councillor Storey stated that the nature of the farm business is a matter for the individual.

The Senior Planning Officer advised that policy CTY10 is for dwellings on a farm. As the application is for a shed it is considered under policy CTY12 which talks about the farm holding and the longevity of the farm holding is the question. She advised policy CTY12 reverts back to policy CTY10 regarding agricultural activity. DAERA have confirmed SFP claimed in 2019, 2020 and 2024.

Alderman Scott queried if evidence is then required for the other 3 years.

The Senior Planning Officer confirmed that evidence is required for the other 3 years. She advised someone else was claiming SFP for the other 3 years. The Senior Planning Officer stated that hoof trimming is a service provided to farmers for their animals but that the hoof trimming business does not need to be operated by a farmer.

The Chair invited M Bell and J Charters to speak in support of the application.

M Bell stated that he believes that it has been demonstrated that the farm holding is established and the applicant has a life long interest in farming. M Bell stated that the hoof trimming business should operate in the countryside. M Bell stated that J Charters is well known and used by farmers and is directly related to the farm business, that farm diversification is an additional activity needed to survive. M Bell referred to a planning application in Mid and East Antrim, LA02/2020/0360, stating that this did not appear to be an agricultural business. M Bell stated that J Charters had invested in and built a new replacement dwelling on the farm and had recently moved in with his wife and young child and that young people need to be supported on their farming journey when so many young people are leaving farming. He stated that this is a normal application for a farm shed and evidence has been provided – 16 photos, reports, information, insurance documents. The business often deals with other farmers and there are no receipts. The keeping and looking after animals has been previously stated and looking after animals is key to this farming activity.

Councillor Storey asked who claimed the SFP for the 3 years.

In response M Bell stated that although fields are taken out on conacre J Charters remains the farmer and owns the land. M Bell stated that J Charters is expected to maintain the hedges and drainage, farming activity has not been suspended. M Bell stated that evidence had been sent to the Planning Office and he cannot control what they consider justifiable. He believes that the evidence is sufficient, Mr Charters remains a farmer, is a farmer and will continue to be a farmer.

Proposed by Councillor Storey

Seconded by Councillor Kennedy

- That 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 approve outline planning permission subject to the reasons set out in section 10 for the following reasons:

- The test for policy CTY10 has been met – the farm holding has been active and established for 6 years. Subsequently the other tests have been met.
- Mid and East Antrim planning application, LA02/2020/0360 referred to in agents presentation provided multiple proof of evidence and taking advice from agent that the two applications are comparable.
- The dwelling is now occupied by the applicant and his family.
- Policy CTY12 is now met as policy CTY10 is met

When the Head of Planning queried if Members had seen the detail of the application from Mid and East Antrim Council Councillor Storey stated he was taking the advice from the agent.

The Chair put the motion to the Committee to vote.
 10 Members voted For, 2 Members voted against, 1 Member Abstained.
 The Chair declared the motion carried and application approved.

RESOLVED - That 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 approve outline planning permission subject to the reasons set out in section 10 for the following reasons:

- The test for policy CTY10 has been met – the farm holding has been active and established for 6 years. Subsequently the other tests have been met.
- Mid and East Antrim planning application, LA02/2020/0360 referred to in agents presentation provided multiple proof of evidence and taking advice from agent that the two applications are comparable.
- The dwelling is now occupied by the applicant and his family.
- Policy CTY12 is now met as policy CTY10 is met

RESOLVED - that Conditions and Informatives are delegated to Officers

- * **The Chair declared a recess at 5.15pm.**
- * **Alderman Stewart left the meeting at 5.15pm**
- * **The meeting reconvened at 5.24pm**

Councillor Watton, Vice Chair vacated the Chair.
Alderman Hunter returned to The Chamber, rejoined the meeting and assumed the Chair.

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

6. LOCAL DEVELOPMENT PLAN (LDP)

6.1 Local Development Plan

A Verbal update was provided by the Development Plan Manager.

Development Plan Manager presented the following update:

Members will be aware of the work of the Council's Development Plan team that brought us to the current stage of draft Plan Strategy preparation.

Two update items:

Revised LDP Timetable

Following agreement on a Revised LDP timetable at the 24th March 2024 Planning Committee, the PAC was consulted on 4th April 2024. Their response was received on 10th April 2024. Following this, the timetable was submitted to Dfl on 2nd July 2024 for agreement. Dfl agreed the revised timetable on 4th December 2024.

As required, a public notice was placed in "The Chronicle" and on the Council's website advising of the formal publication date of 8th January 2025. Those who had registered online to be kept up to date were also advised of the timetable publication.

Key statutory consultees and other stakeholders were also advised of the revision.

The timetable sets out a revised dPS publication date of autumn/winter 2026.

Independent Housing Research

As requested by Members, Ulster University has been awarded a DAC to carry out independent housing research on the new dwelling requirements in the Borough. The final report, scheduled for completion by September 2025, will inform the Plan preparation.

In response to questions the Head of Planning advised that it can be written into the contract with Ulster University that all local political parties can engage with Ulster University during the research.

Councillor McGurk requested that there are meetings rather than written representations.

Proposed by Alderman Callan

Seconded by Councillor McGurk

- That Planning Committee amend the contract with Ulster University to allow the parties to engage with Ulster University research team.

The Chair put the motion to the vote.

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

The Chair declared the motion carried.

RESOLVED – That the Planning Committee amend the contract with Ulster University to allow the parties to engage with Ulster University research team.

7. CORRESPONDENCE

7.1 DfI – Letter of Agreement (LDP Timetable Rev 4)

Copy, previously circulated, presented by The Head of Planning.

Correspondence from Department for Infrastructure, dated 4 December 2024, regarding:

Local Development Plan for Causeway Coast and Glens Borough Council – Revised Timetable – April 2024

Planning Committee NOTED the correspondence.

7.2 DfI – Approval of amended Scheme of Delegation

Copy, previously circulated, presented by The Head of Planning.

Correspondence from Department for Infrastructure, dated 10 December 2024, regarding:

Revised Scheme of Delegation Under the Planning Act (Northern Ireland) 2011 and the Planning (Development Management Regulations (Northern Ireland) 2015 as Amended — Proposed Scheme of Delegation for Causeway Coast and Glens Borough Council.

Planning Committee NOTED the correspondence.

7.3 DfE – Onshore Petroleum Licensing Policy – Executive Decision

Copy, previously circulated, presented by The Head of Planning.

Correspondence from Department for the Economy, dated 6 December 2024, regarding:

Onshore Petroleum Licensing Policy – Executive Decision.

Planning Committee NOTED the correspondence.

7.4 DC&SDC – LDP Direction – Letter to Stakeholders

Copy, previously circulated, presented by The Head of Planning.

Correspondence to Derry City and Strabane District Council, dated 28 November 2024, regarding:

Sustainable Water: A Long-Term Water Strategy (LTWS) for Northern Ireland – CC&G 16th update (as of 30 September 2024)

Planning Committee NOTED the correspondence.

7.5 Correspondence to DfI – Long Term Water Strategy (LTWS)

Copy, previously circulated, presented by The Head of Planning.

Correspondence to the Department for Infrastructure, dated 28 November 2024, regarding:

Sustainable Water: A Long-Term Water Strategy (LTWS) for Northern Ireland – CC&G 16th update (as of 30 September 2024)

Planning Committee NOTED the correspondence.

8. REPORTS FOR DECISION

8.1 Fee Exemptions

Report, previously circulated, was presented by the Head of Planning.

Purpose of Report

This Report is to advise Members of the introduction of a further Development Management Information Note about Fee Exemptions. “Fee exemption” is the term commonly used where a planning application is accepted for processing without an application fee.

Background

Planning legislation, specifically Regulations 4, 5 and 6 of The Planning (Fees) Regulations Northern Ireland 2015 (as amended) set out the circumstances where a fee exemption applies. These circumstances are prescribed and the Council has no discretion to vary the circumstances in which a fee exemption applies.

There are three main types of fee exemption. Regulation 4 allows a fee exemption for “disabled persons”. In the context of a dwellinghouse, Part (1) of the fee exemption applies to the carrying out of operations for either the alteration or extension of an existing dwellinghouse or operations in the curtilage of a dwellinghouse (excluding the erection of a dwellinghouse). In both instances, the Regulation prescribes that either a means of access or provision of facilities are designed to secure that person’s greater safety, health or comfort. This Regulation allows the disabled person to be either resident or

proposing to be resident in the subject dwellinghouse. Part (2) of this Regulation additionally allows a fee exemption for operations for the purpose of providing a means of access for disabled persons to a public building.

Regulation 5 allows a fee exemption for a variation of condition application (a Section 54 application) which is only necessary by reason of a specific condition on a grant of planning permission.

Regulation 6 allows a fee exemption for the provision of community facilities. The Regulation requires the applicant to be a club, society or other organisation (including any persons administering a trust) which is not established or conducted for profit. Additionally, the Regulation requires the Council to be satisfied that the development is to be carried out on land which is, or intended to be, occupied by the club society or other organisation and that it is to be used wholly or mainly for the carrying out of its objects.

Content of the Information Note

The Information Note provides information on the following:

- Types of fee exemptions.
- Evidence required to allow a fee exemption.
- How to apply for a fee exemption.
- The circumstances in which a fee exemption applies.
- Requests for retrospective fee exemptions.
- The appeal process when an application is made invalid owing to not accepting a fee exemption.

Proposals

To publish a Development Management Information Note on Fee Exemptions (See Appendix 1 (circulated)).

Recommendation

It is recommended that the Committee considers the attached Information Note and agrees to its publication on the Planning Section of Council's website.

Proposed by Alderman Coyle
Seconded by Councillor McMullan and

RESOLVED - That the Committee considers the attached Information Note and agrees to its publication on the Planning Section of Council's website.

8.2 TPO Confirmation – 43-45 Carthall Road, Coleraine

Report, previously circulated, was presented by the Head of Planning.

Purpose of Report

To present the TPO confirmation with modification for Lands at and adjacent to 43 and 45 Carthall Road, Coleraine.

Further detail provided under the following headings

- Background
- Site Context
- Financial Implications

Options

Option 1: Resolve to confirm the TPO with modifications as detailed above.

Option 2: Resolve not to confirm the TPO.

Recommendation

IT IS RECOMMENDED that Members agree to either Option 1 or 2 above.

Councillor Storey expressed concern regarding the cost to Council. Councillor Storey stated that completing Tree Preservation Orders could lead to costs for other utilities.

In response the Development Plan Manager stated that Council is required to look at a Tree Preservation Order if a member of the public requests it, this is a legislative procedure that has to be followed.

Proposed by Councillor McMullan

Seconded by Councillor Anderson

- That Planning Committee Resolve to confirm the TPO with modifications as detailed above.

The Chair put the motion to the vote.

11 Members voted For; 2 Members voted Against; 0 Members Abstained.

The Chair declared the motion carried.

RESOLVED - That Planning Committee Resolve to confirm the TPO with modifications as detailed above.

8.3 TPO Confirmation – 44-46 Carthall Road, Coleraine

Report, previously circulated, was presented by the Head of Planning.

Purpose of Report

To present the TPO confirmation with modification for Lands at 44 and 46 Carthall Road, Coleraine.

Further detail provided under the following headings

- Background

- Site Context
- Financial Implications

Options

Option 1: Resolve to confirm the TPO with modifications as detailed above.

Option 2: Resolve not to confirm the TPO.

Recommendation

IT IS RECOMMENDED that Members agree to either Option 1 or 2 above.

The Development Plan Manager advised of a typographical error and stated that at section 3.9 of the report it should read 8 individual trees and 2 tree groups were surveyed.

Proposed by Councillor McMullan
Seconded by Councillor Anderson

- That Planning Committee Resolve to confirm the TPO with modifications as detailed above.

The Chair put the motion to the vote.

11 Members voted For; 2 Members voted Against; 0 Members Abstained.

The Chair declared the motion carried.

RESOLVED - That Planning Committee Resolve to confirm the TPO with modifications as detailed above.

8.4 Consultation on Minerals Prospecting Licence Application- Dalradian Gold Limited

Report, previously circulated, was presented by the Head of Planning.

Purpose of Report

This Report is to advise Members of a consultation from the Department for the Economy (DfE) on a Minerals Prospecting Licence from Dalradian Gold Limited.

Background

On 08 January 2025 DfE contacted the Council to advise that they have received an application for a Minerals Prospecting Licence (MPL) which extends to land within the Borough. The correspondence advises: *“Before reaching a final decision on the award of the Licence, the Department is required to serve notice on your organisation of its intention to grant the Licence and to consider any representations made.”* The consultation period began on 13 January 2025 and closes on 04 April 2025.

Minerals prospecting is an early stage of the mining process which occurs before minerals exploration. Minerals prospecting involves the use of various technologies and techniques to identify potential minerals deposits.

Legislation, specifically the Minerals Development Act (Northern Ireland) 1969, requires an applicant to apply to DfE to obtain a licence to carry out minerals prospecting. Such licences, where granted, are valid for a specified period before expiring. DfE advises the current application is for an area previously licenced to the Applicant and that the Applicant holds other MPLs in Northern Ireland.

DfE advises the objective of the consultation is to ensure that the Department publishes its intention to grant the MPL and provide stakeholders and the general public an opportunity to submit comments. This is to enable the Department to receive a range of views and make an informed decision on the granting or not of the MPL and/ or any additional terms and conditions that should be included in the licence.

Other consultees include other councils within the MPL application area, the NI Executive Departments and other organisations.

Detail

The portion of the MPL located in the Borough is located to the immediate south of Feeny. Outside the Borough, the MPL extends to the south and west to land north of Gortin. The Proposed Licence area, is shown in the map below (circulated).

The application includes identification of environmentally designated sites and assessment of surface elevation.

The application specifies the minerals to be explored for as “all minerals with a focus on copper, lead, zinc, antimony, bismuth, tellurium, cobalt nickel and manganese. In addition, it is stated there is an intention to explore for precious metals.

The application provides a Scheme of Prospecting for Year 1 and Year 2 of the proposed licence term. It indicates that the application is to specifically target base metal occurrences that have been identified in earlier exploration of the licence area. Three target locations for field-based activities are identified. One of these is located at Cushcapple, within the Borough. Through an Environmental Assessment, DfE has considered the possible impacts of exploration activity on natural heritage sites. This concludes that the desk based studies will have no impact on designated sites within the proposed licence area. It further concludes that field based activities are not likely to have a significant impact on designated areas by virtue of the locations and

exploration activities to be deployed. It is a condition of each mineral prospecting licence that any proposed exploration activity that the licensee wishes to carry out must be notified to the Department and express approval for the Department must be obtained before the activity begins.

The application identifies one of the locations of where the exploration activity is expected to take place at Cushcapple. The application states that the exploration activity is to provide a follow-up on elevated zinc and lead values identified through the baseline stream sediment survey.

Regarding the planning regime, legislation allows mineral exploration to take place as permitted development without the need to obtain planning permission. This is set out at Part 16 of the Schedule to The Planning (General Permitted Development) Order (Northern Ireland) 2015. The specific development permitted, not exceeding 4 months, includes the drilling of boreholes, the carrying out of seismic surveys or the making of other excavations for the purpose of minerals exploration and the provision or assembly on that land or adjoining land of any structure required in connection with any of those operations. This is subject to conditions. These conditions are that:

- the developer shall notify the council in writing giving details of the location of the proposed development, target minerals, details of plant and operations and anticipated timescale;
- any operation is not within an area of special scientific interest or site of archaeological interest;
- any explosive charge of more than 1 kilogram is not used and;
- any structure assembled or provided does not exceed 3 metres in height where such a structure would be within 3 kilometres of an airport.

To date, Dalradian Gold Limited has not contacted the Council regarding exercising their permitted development rights.

Recommendation

It is recommended that the Committee agrees to the Head of Planning responding to the DfE consultation to advise of permitted development rights for minerals exploration and the requirement for Dalradian Gold Limited to notify the Council before undertaking any development.

Alderman Scott stated consideration needs to be given to mineral exploring near the water source for Limavady.

Councillor McGurk stated this type of exploration or work was not welcomed and this needs to be made clear in the letter. Councillor McGurk stated there are environmental concerns and that is regrettable this can be done under Permitted Development.

In response to questions the Head of Planning advised that Party Groups can provide input for the response, this needs to be with the Head of Planning by the 7 March 2025.

Proposed by Alderman Callan
Seconded by Councillor McGurk and

RESOLVED – That Committee agrees to the Head of Planning responding to the DfE consultation to advise of permitted development rights for minerals exploration and the requirement for Dalradian Gold Limited to notify the Council before undertaking any development and party group input is received by the Head of Planning by 7 March 2025.

9. REPORTS FOR NOTING

9.1 LDP – 6 month Indicative LDP Work Programme (Jan – Jun 2025)

Report, previously circulated, was presented by the Head of Planning.

Purpose of Report

To present, in line with Section 5 of the Council's current published Local Development Plan (LDP) Timetable, the 6-month indicative LDP Work Programme (see Appendix 1 (circulated)) which outlines the range of work to be carried out by the Council's Development Plan team within this programme (Jan-Jun 2025).

Background

Local Development Plan

Members will be aware of the suite of LDP Workshops, Steering Group and Project Management Team meetings that brought us to the stage of presenting a draft Plan Strategy (dPS) at the 24th August 2022 Planning Committee, at which members resolved to take the dPS forward to Full Council for ratification.

At its 1st November 2022 Full Council Meeting the Council resolved to defer the dPS for further consideration. Discussions on this remain ongoing (see Table 1 at Appendix 2 (circulated)).

Independent Housing Research Study

Members requested an independent housing research study to inform the preparation of the Plan. The study is now underway and will continue throughout this programme.

Revised LDP Timetable

The Council published a Revised LDP Timetable on 8th January 2025 (see Appendix 3 (circulated)). The new indicative date for publication of the draft Plan Strategy (dPS) is autumn/winter 2026.

The LDP timetable has been kept under review throughout the ongoing discussions with Members and the Planning Committee (LDP Steering Group) has been regularly updated on progress.

LDP Project Management Team & LDP Steering Group

Consultation with the LDP Project Management Team (key consultees and stakeholders) on our draft policy approach closed with the presentation of the dPS to the 1st November 2022 Full Council Meeting. However, given the deferral of the dPS for further consideration and ongoing discussions, this consultation process may need to be reopened.

The LDP Steering Group (Planning Committee) continues to be updated on Plan-making progress via:

- Quarterly verbal updates;
- 6-month indicative work programmes; and
- Annual Monitoring Reports.

Working Groups/Collaborative Working

The Development Plan Working Group will continue throughout this programme. Collaborative work will also be undertaken on the following, as and when required:

- NI Coastal/Marine Group;
- Cross-Border Development Plan Group;
- Cross-Boundary Group (adjoining councils); and
- Sperrin AONB Group.

Sustainability Appraisal

A Sustainability Appraisal incorporating Strategic Environmental Assessment (SA/SEA) of the LDP is an iterative process, continuing throughout the entire Plan-making programme. The Council has employed SES to carry out the LDP SA/SEA on its behalf. Any update to the dPS throughout this work programme will also require an updated SA appraisal.

Annual Monitors

Work will continue on the Council's annual retail, employment and housing monitors within this work programme.

Building Preservation Notices (BPNs)

Ad hoc requests for BPNs will be processed throughout the work programme, as and when required.

Trees

Members will be aware of the recent press release regarding the Planning Department's launch of the new interactive map viewer to help the public identify trees with preservation orders attached and those located within the Borough's five Conservation Areas.

The map viewer provides information on each of the 80 Tree Preservation Orders (TPOs) in the Borough, including a short description of the value of the trees, the status of the TPO, and access to the associated TPO Schedule and maps. Work will continue throughout this programme to publish associated background information on the Council's website.

The website also provides information on trees, generally, within the Planning system, including requests for TPOs, consent for works and other tree related matters relevant to the Planning Department.

Ad hoc requests for TPOs and Works to Trees will continue to be processed throughout the work programme, as and when required.

Community Plan Strategic Partnership Board

Given the statutory link, the Head of Planning and Local Development Plan Manager attend the Council's Community Plan Strategic Partnership Board and continue to participate in the community planning process, working collaboratively with our council colleagues and other key partners.

Other work

Officers will continue to assist our development management colleagues on a range of matters including planning application, LDP and Conservation Area consultation responses.

Consultations received from other councils, central government departments, and any other ad hoc papers will be processed and/or presented as and when required throughout this programme.

Attendance at other councils' Independent Examinations (IEs) will continue in line with the Planning Appeals Commission (PAC) timetable as this is a crucial learning resource on the evolution of the Northern Ireland Plan-making process.

Evidence Base Update

Members are aware that the LDP must be prepared using robust and up to date evidence base. As such, updates may be required to some or all of the above, depending on the timeframe for bringing an updated dPS to Members.

Recommendation

It is recommended that the Planning Committee note the content of this report.

Planning Committee noted the report.

9.2 Finance Report – Period 1 -7

Report, previously circulated, was presented by the Head of Planning.

Purpose

This Report is to provide Members with an update on the financial position of the Planning Department for the Period 1-7 of 2024/25 business year.

Details

Planning is showing a variance of just under £113k favourable position at end of Period 7 based on draft Management Accounts.

The favourable position at the end of Period 7 is due to favourable position in relation to wages and salaries expenditure of over £140k whilst pre-employment procedures continue to fill vacant posts, monitoring of vacant 1.6FTE Business Support Assistant posts, and prior to issuing of pay rise and backpay. This favourable position in relation to wages and salaries is reduced by a deficit in income of over £27k, an improvement from £42k deficit in Period 1-6 and assisted by the increase in income from Property Certificates. Although the number of planning applications received over this period has increased when compared to the same period last year, they are of a lesser fee category resulting in a decreased income when compared to the same period last year of over £106k.

There are no other areas of concern at this time in relation to other expenditure codes.

Recommendation

It is recommended that the Planning Committee considers the content of this report for the Period 1-7 of 2024/25 financial year.

Planning Committee noted the report.

9.3 Finance Report – Period 1 – 8

Report, previously circulated, was presented by the Head of Planning.

Purpose

This Report is to provide Members with an update on the financial position of the Planning Department for the Period 1-8 of 2024/25 business year.

Details

Planning is showing a variance of just over £103k favourable position at end of Period 8 based on draft Management Accounts.

The favourable position at the end of Period 8 is due to favourable position in relation to wages and salaries expenditure of over £155k whilst pre-employment procedures continue to fill vacant posts, monitoring of vacant posts in Business Support Team (1.6FTE), and prior to issuing of pay rise and backpay. This favourable position in relation to wages and salaries is reduced by a deficit in income of over £53k.

Although the number of planning applications received over this period has increased by 11 applications when compared to the same period last year, they are of a lesser fee category resulting in a decreased income.

There are no other areas of concern at this time in relation to other expenditure codes.

Recommendation

It is recommended that the Planning Committee considers the content of this report for the Period 1-8 of 2024/25 financial year.

Planning Committee noted the report.

9.4 Second Quarterly Report on Planning Performance

Report, previously circulated, was presented by the Head of Planning.

Purpose of Report

The purpose of this report is to provide a quarterly update on Planning performance against the Planning Department Business Plan 2024/25.

Background

Schedule 4 of The Local Government (Performance Indicators and Standards) Order (Northern Ireland) 2015 sets out the statutory performance targets for the Planning Department for major development applications, local development applications and enforcement cases. The Planning Department Business Plan 2024-25 sets out the key performance indicators to progress towards improving Planning performance against these targets,

The statutory targets are:

- Major applications processed from date valid to decision or withdrawal within an average of 30 weeks
- Local applications processed from date valid to decision or withdrawal within an average of 15 weeks
- 70% of all enforcement cases progressed to target conclusion within 39 weeks of receipt of complaint.

The Northern Ireland Planning Statistics is an official statistics publication issued by Analysis, Statistics & Research Team within Department for Infrastructure. It provides the official statistics for each Council on each of the statutory targets and is published quarterly and on an annual basis. The Second Quarter 2024/25 Statistical Bulletin was published on 12 December 2024 providing planning statistics for this period.

Details

Website link circulated provides the link to the published bulletin.

Business Plan Objective 1: Improve performance in relation to the processing of planning applications and enforcement cases

Table 1 below (circulated) provides a summary of performance in relation to the statutory targets for major development applications and local development applications for the second quarter of 2024-25 business year and provides a comparison of performance against all 11 Councils and against Business Plan KPIs.

In the Q2, Causeway Coast and Glens Borough Council issued 4 major planning applications (including new leisure facilities in Ballycastle, housing development of 82 units including 16 social housing) and had 1 major application was withdrawn (park and ride facility outside Dungiven) resulting in an average processing time of 43.6 weeks for Q2 and 45 weeks YTD, not meeting the statutory target but on target to meet the Business Plan target by end of this business year. In addition, we received 6 major planning applications in Q2 (extensions to clubhouse, training pitch and open terrace; extension to Ballymoney Rugby Club facilities, and variations to 2no. wind farms), 2 more than the same period last year.

Over the same period 233 local applications were received, 1 less than for the same period last year. Over Q2, 224 local category applications were decided and 20 local applications withdrawn. Although not meeting the statutory target, the Business Plan target of 26 weeks was met.

There was a total of 256 applications in the system over 12 months at end of Q2, an decrease of 15 applications compared to the beginning of this business year, not meeting the Business Plan target but on target to meet this target by end of the Business Year. This equates to 28.5% of the total number of live applications and is the 5th highest percentage of the live applications out of the 11 Councils, an improvement on Q1. Work is ongoing on these applications in order to reduce the number of over 12 month applications by the end of the Business Year.

In Q2, the number of over 24 month applications decreased to 96 a reduction of 4% from the beginning of the Business Year and on target to meet the Business Plan target of 10% reduction.

Enforcement

Table 2 below (circulated) shows statistics in relation to enforcement for Q1, Q2 and YTD of the 2024/25 business year. Progress continues to improve performance meeting the KPIs set out in the Business Plan. The statutory target for bringing to conclusion enforcement cases of 70% within 39 weeks has not been met over this period. However, the Business Plan target of 55% for Q1 and 60% for Q2 have been achieved.

Of the cases closed in Q2, 20% were remedied/resolved, 15.5% had planning permission granted; 22.2% were closed as not expedient; 6.7% were immune from enforcement; and 35.6% had no breach identified.

Implement a new Pre-Application Discussion process – Timescale Q2 Met

The new Pre-Application Discussions procedures were agreed at Planning Committee on 22 May 2024 and implemented on 01 September 2024. This Business Plan KPI target has been met.

Implement a new Validation Checklist process – Timescale Q2 Met

The new Validation Checklist process was agreed at Planning Committee meeting held on 22 May 2024 and implemented on 01 September 2024. This Business Plan KPI target has been met.

Implement Standing Advice from NI Water – Timescale Q3 Met and Q4 to implement – ongoing

NI Water Standing Advice has been agreed at a meeting held on 21 November 2024. The Standing Orders were agreed with NIW at a meeting held on 21 November 2024 and will be implemented in this Council during Q4 – on target to be met.

Develop an action plan to manage and reduce the number of over 12 month applications in the system – Timescale Q2 Met

The over 12 month action plan has been developed and this KPI target has been met.

Reduce the number of over 12month and over 24month applications in the system by 10% - Timescale Q4 – ongoing

At end of Q2 this target was not being met but the number of over 12 month applications had been significantly reduced by 5.5% and the over 24 months by 4%. Work continues to reduce the number by end of Q4 in accordance with target set out in the KPI.

Business Plan Objective 2: preparation of Council's draft Plan Strategy

Completion of research to inform LDP preparation in line with published timetable – Timescale Q3 - ongoing

Although the tender exercise for the independent research was unsuccessful, work is ongoing to identify alternative provision of evidence to inform the LDP process – Timescale Q3 – on target to be met. This is in accordance with the proposed new Local Development Plan 2038 Timetable which is with DfI for agreement.

Tree Preservation Order interactive map viewer operational and accessible by the public – Timescale Q3 Met

The TPO interactive map has been developed and further supporting information is in the process of being linked – target has been met.

Business Plan Objective 3: to manage finance, staff, information and other resources effectively and efficiently within corporate governance framework

Review Planning Fraud Risk Self Assessment Checklist – Timescale Q2 Met

The review of the Planning Fraud Risk Self Assessment Checklist was completed on 16/10/24; target has been met.

Review outstanding Audit/Ombudsman recommendations and allocate timeframe for implementation – Timescale Q3 - ongoing

The review of outstanding Audit/Ombudsman recommendations has commenced and timeframe for implementation will be finalised by end of Q3 – on target to be met.

Recommendations from outstanding Audit/Ombudsman recommendations implemented – Timescale Q4 - ongoing

On finalisation of timeframe for implementation of outstanding Audit/Ombudsman recommendations will be implemented in accordance with the timeframes set out – on target to be met.

Number of cases where Ombudsman determines maladministration is less than 0.4% of all decisions made – Timescale Q4 - ongoing

At end of Q2 there were no cases during this period where the Ombudsman determined maladministration – on target to be met.

Long term vacant posts filled – Timescale Q2 – Not Met

Pre-employment procedures ongoing for Planning Assistant grades; all other posts filled – target not met; further recruitment campaign for further Planning Assistants being undertaken in Q3.

Reserve list held for future vacancies for next 12 months - ongoing

A reserve list is in place for all Principal, Senior and Officer grades following successful recruitment campaigns. Further recruitment campaign to be

commenced in Q3 for Planning Assistant grade as the previous list is now exhausted.

The Head of Planning referred to a typo in the recommendation stating it should read “..that the planning Committee..”

Recommendation

It is recommended that the Planning Committee note the Planning Departments Second Quarterly Report.

Planning Committee noted the report.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Councillor McMullan
Seconded by Councillor Storey and

AGREED – that Planning Committee move ‘*In Committee*’.

- * **Press and Public were disconnected from the meeting at 5:48pm**

The information contained in the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

- * **Councillor Kennedy left the meeting at 5.48pm**

10. Confidential Items

10.1 Update on Legal Issues

10.1.1 Pre action Protocol Letter - LA01/2023/0804/F 90 Ballyreagh Road, Portstewart, BT55 7PT

Council Solicitor advised Committee that this matter has been responded to at PAPL stage and the timeframe for Judicial Review had expired.

Planning Committee NOTED the verbal update.

10.1.2 East Road Drumsurn

Council Solicitor provided a verbal update regarding legal proceedings at East Road Drumsurn.

In response to questions the Council Solicitor advised that costs are unknown at present.

Planning Committee NOTED the verbal update.

10.1.3 Pre Action Protocol Letter, Castlecatt Road

Council Solicitor advised a PAPL and Judicial Review has been lodged in relation to this application.

Planning Committee NOTED the verbal update.

10.2 Revocation Request

Report, previously circulated, was presented by the Head of Planning.

Purpose of Report

This Report is to advise Members of a request made on 07 December 2024 to Members of the Planning Committee to revoke planning permission for Proposed new dwelling.

Options

- 1. To revoke planning permission**
- 2. To not revoke planning permission**

The Head of Planning went through in detail further correspondence received.

Recommendation

It is recommended that the Committee agrees with OPTION 2 and that the Head of Planning replies to Ms Gilvary to advise accordingly.

In response to questions the Head of Planning advised that a letter would be issued to the complainant regarding the decision at this meeting and that NIPSO would respond directly regarding the outcome of their investigation.

Proposed by Alderman Callan

Seconded by Alderman Scott

- that the Committee agrees with Option 2 and that the Head of Planning replies to the complainant to advise accordingly.

The Chair put the motion to the vote.

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

The Chair declared the motion carried.

RESOLVED - that the Committee agrees with Option 2 and that the Head of Planning replies to the complainant to advise accordingly.

10.3 Staffing Structure in the Planning Department

Report, previously circulated, was presented by the Head of Planning.

Purpose of Report

The purpose of this report is to inform Members of a revised staffing structure within the Planning Department to reduce caseloads and improve service delivery that will be presented to Corporate Policy and Services Committee and full Council for approval.

Recommendation

It is recommended that the Planning Committee notes the proposed restructuring of the Planning Department as set out in Figure 2 above with an overall reduction of staff costs of £6k and reduction in staffing of 0.7FTE

Committee NOTED the report.

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Alderman Scott
Seconded by Alderman S McKillop and

AGREED – that Planning Committee move 'In Public'.

* **A member of the public was readmitted to the meeting at 6.46pm**

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

11.1 Issues raised by the Causeway Coast and Glens Local Architects Group (Alderman Callan)

Can the Head of Planning update the committee on the response to the issues raised by the Causeway Coast and Glens Local Architects Group.

Alderman Callan stated the item of Any Other Relevant Business merits discussion and proposed that a Special meeting of the Planning Committee is held in February and to invite architects to raise issues.

The Head of Planning advised that there is a meeting for the Local Architects Group on 30 January 2025 where issues can be discussed.

Alderman Callan stated that the Planning Committee should also be involved to show that Council is listening.

The Chair suggested waiting for the outcome of the Local Architects meeting on the 30 January 2025 as this is a matter for the Head of Planning.

Alderman Callan stated that there should be oversight of performance and planning policies. Alderman Callan stated it would be of benefit to all parties to have an open discussion and as a Local Government body Council should be responsive to local need.

The Chair expressed concern regarding the Planning Committee's role in meeting architects.

Alderman Callan stated that other Committees have received delegations and this is no different.

Councillor Storey stated that there are ongoing discussions between management and architects and that it would be useful to have a collective discussion on the issues and how we are improving this public service. Councillor Storey stated that this is about policy and procedure and improving outcomes for people in the Borough. Councillor Storey seconded the motion from Alderman Callan.

The Head of Planning stated that strategic issues should only be discussed at the special Planning Committee meeting and not operational issues. The Head of Planning advised that a meeting could be arranged but would need to consult the calendar regarding a date.

Alderman Callan stated that the 13 February 2025 is held in case the Rates are not struck, this is a possible date.

Councillor McGurk concurred with previous speakers. Councillor McGurk stated there are ongoing discussions and it would be good to get everyone in the room to discuss.

Council Solicitor, Corporate, Planning and Regulatory stated that Planning Committee is a regulatory committee, that a proposal to do have a delegation should go through Full Council and returned to the Committee. Council Solicitor stated that items of Any Other Relevant Business are for clarification of information.

Proposed by Alderman Callan
Seconded by Alderman S McKillop and

RESOLVED - To set aside Standing Orders to propose a Special Planning Committee meeting.

Proposed by Alderman Callan
Seconded by Councillor Storey and

RESOLVED – That a Special Planning Committee meeting is held with architects in hybrid format on 13 February 2025, if it is free.

This being all the business the meeting closed at 7.09pm

Chair