



**PLANNING COMMITTEE MEETING HELD  
WEDNESDAY 25 FEBRUARY 2026**

**Table of Key Adoptions**

<b>No.</b>	<b>Item</b>	<b>Summary of Decisions</b>
<b>1.</b>	Apologies	<b><i>Alderman Callan</i></b>
<b>2.</b>	Declarations of Interest	<b><i>Alderman Coyle, Scott Councillor Storey</i></b>
<b>3.</b>	Minutes of Previous Planning Committee Meetings	
<b>3.1</b>	Minutes of Planning Committee Meeting held Wednesday 28 January 2026	<b><i>Confirmed as a correct record</i></b>
<b>4.</b>	Order of Items and Confirmation of Registered Speakers	<b><i>Nil</i></b>
<b>5.</b>	Schedule of applications	
<b>5.1</b>	LA01/2025/1149/S54 (Major) Undeveloped lands west of Burn, Road and bounded by Ballygallin Park, St Andrews Church of Ireland Hazeldene Drive and Mulberry Gardens, Coleraine	<b><i>Agree and Approve</i></b>
<b>5.2</b>	LA01/2025/1239/F (Major) Coleraine Grammar School, 33 Castlerock Road, Coleraine	<b><i>Agree and Approve</i></b>
<b>5.3</b>	LA01/2023/1247/RM (Major) Land adjacent to Dunluce House, 87 Dunluce Road, Bushmills	<b><i>Agree and Approve</i></b>
<b>5.4</b>	LA01/2024/0223/F (Objection) Playing field/public open space	<b><i>Agree and Approve</i></b>

	area adjacent/east of 55 Garvagh Road, Dungiven	
<b>5.5</b>	LA01/2023/1142/F (Objection) 42 Dhu Varren, Portrush	<b><i>Deferred for a Site Visit</i></b>
<b>5.6</b>	LA01/2023/1081/F (Objection) 4 Main Street, Castlerock	<b><i>Agree and Approve</i></b>
<b>5.7</b>	LA01/2025/0828/F (Objection) 9-11 Atlantic Avenue, Portrush	<b><i>Agree and Approve</i></b>
<b>5.8</b>	LA01/2023/0418/F (Referral) 70m SE of 23 Ballymacrea Road Portrush	<b><i>Deferred for a Site Visit</i></b>
<b>5.9</b>	LA01/2023/0599/A (Referral) On Lands c. 120m North West of approved Petrol Filling Station, 254 & 256 Frosses Road, Cloughmills	<b><i>Disagree and Approve</i></b>
<b>5.10</b>	LA01/2024/1045/O (Referral) Land adjacent and South West of 44 Station Road, Dunloy	<b><i>Disagree and Approve</i></b>
<b>5.11</b>	LA01/2024/1119/O (Referral) Land between No. 44 and 44a Ballybrakes Road, Ballymoney	<b><i>Deferred for a Site Visit</i></b>
<b>5.12</b>	LA01/2024/1227/O (Referral) On lands c. 70m South of No. 119 Legavallon Road, Dungiven	<b><i>Disagree and Approve</i></b>
<b>5.13</b>	LA01/2024/1119/O (Referral) 140m North East of 52 Ballyagan Road, Garvagh	<b><i>Disagree and Approve</i></b>
<b>6.</b>	Correspondence	
<b>6.1</b>	Donegal CDP Variation No1 - Council response	<b><i>Noted</i></b>
<b>6.2</b>	NISRA - Census User Consultation Response	<b><i>Noted</i></b>
<b>6.3</b>	DfI - Second Review of the Implementation of the Planning Act (NI) 2011	<b><i>Noted</i></b>
<b>6.4</b>	DfI – Renewable Energy Workshop – 11 March 2026	<b><i>Noted</i></b>
<b>6.5</b>	NILGA – Planning Learning & Engagement Nomination – Council response	<b><i>Noted</i></b>

<b>7.</b>	Reports for Decision	
<b>7.1</b>	DFI - Standing Advice 25-02-26	<b><i>To recommend that the Committee agrees to continue implementation of the Standing Advice from DfI Roads with immediate effect</i></b>
<b>7.2</b>	TPO confirmation – Chapelfield, Coleraine	<b><i>To recommend that the Committee Resolve to confirm the TPO, with modifications, as detailed</i></b>
<b>7.3</b>	TPO confirmation – Dungiven Castle	
<b>7.4</b>	TPO confirmation – Gorteen House	
<b>7.5</b>	TPO confirmation – Mountsandell Road	
<b>8.</b>	Reports for Noting	
<b>8.1</b>	LDP – Quarterly LDP Update	<b>Note</b>
<b>8.2</b>	Finance Report Period 1 – 9 2025/26	<b>Note</b>
<b>9.</b>	Any Other Relevant Business (in accordance with Standing Order 12 (o))	
<b>9.1</b>	Meeting request with RTPI & RSUA	<b><i>To recommend that a meeting be scheduled between RTPI &amp; RSUA and the Planning Committee on Wednesday 25<sup>th</sup> March 2026 at 9 am</i></b>
	<b>In Committee (Item 10)</b>	
<b>10.</b>	Confidential Items	
<b>10.1</b>	CC&G Housing Study	<b><i>To recommend that Planning Committee accept the attached Housing Study to inform the preparation of the Local Development Plan</i></b>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE  
PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC  
HEADQUARTERS AND VIA VIDEO CONFERENCE  
ON WEDNESDAY 25 FEBRUARY 2026 AT 10.30AM**

**Chair:** Councillor Kane (C)

**Committee Members:** Alderman Boyle (C), Coyle (C), Hunter (R), S McKillop (C), Scott (C), Councillors, Anderson (C), C Archibald (C), Kennedy (C), McGurk (R), McMullan (C), McQuillan (R), Storey (C), Watton (C)

**Officers Present:** M Quinn, Director of Corporate Services (C)  
M Jones, Council Solicitor, Corporate and Regulatory (R)  
J Lundy, Development Management (local applications) Manager (C)  
S Mathers, Development Management Manager (C)  
S Mulhern, Development Plan Manager (C/R)  
E Hudson, Senior Planning Officer (C)  
J McMath, Senior Planning Officer (C)  
M McErlain, Senior Planning Officer (C)  
R McGrath, Senior Planning Officer (C)  
R Beringer, Senior Planning Officer (C)  
J Chisim, Planning Officer (C)  
S McKinley, Planning Officer (R)  
I Owens, Committee & Member Services Officer (R/C)  
J Keen, Committee & Member Services Officer (C/R)

**In Attendance:** C McTaggart, IT Technical Support Assistant (C/R)  
I Reilly, Dfl (Roads) (R)

Press 1 no. (R)  
Public 20 no. including Speakers

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

**Registered Speakers**

Item No	Name
LA01/2025/1149/S54	-
LA01/2025/1239/F	-
LA01/2023/1247/RM	David Worthington

LA01/2024/0223/F	Raymond Brady
LA01/2023/1142/F	Paul McAdam Scott Cathiness Graeme Montgomery
LA01/2023/1081/F	Dermot Monaghan
LA01/2025/0828/F	Sam McKee
LA01/2023/0418/F	David Dalzell Colin Mayrs David Alexander
LA01/2023/0599/A	Les Ross
LA01/2024/1045/O	Mark Smyth
LA01/2024/1119/O	Mark Smyth
LA01/2024/1227/O	Les Ross Jill Brown Mervyn Scott
LA01/2025/0111/O	John Simpson

The Director of Corporate Services 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 Callan.

## 2. DECLARATIONS OF INTEREST

Declarations of interest were recorded for:

Alderman Coyle in Item 5.4 LA01/2024/0223/F, Objection, Playing field / public open space area adjacent/east of 55 Garvagh Road, Dungiven. Alderman Coyle left the Chamber during consideration of this item and did not vote.

Alderman Scott in Item 5.12 LA01/2024/1227/O (Referral) On lands c. 70m South of No. 119 Legavallon Road, Dungiven. Alderman Scott left the Chamber during consideration of this item and did not vote.

Councillor Storey in Item 5.2 LA01/2025/1239/F (Major) Coleraine Grammar School, 33 Castlerock Road, Coleraine stating that it is a non-pecuniary interest as he is employed by the Education Authority. Councillor Storey left the Chamber during consideration of this item and did not vote.

### **3. Minutes of Previous Planning Committee Meetings**

#### **3.1 Minutes of Planning Committee Meeting held Wednesday 28 January 2026**

Copy, previously circulated.

Proposed by Councillor Storey

Seconded by Councillor Watton

– That the Minutes of the Planning Committee Meeting held Wednesday 28 January 2026 are signed as a correct record.

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried.

**RESOLVED** - That the Minutes of the Planning Committee Meeting held Wednesday 28 January 2026 are signed as a correct record.

\* **Alderman S McKillop joined the meeting in the Chamber at 10:40am**

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

There was no change to the order of business or request for deferrals or site visits.

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

##### **5.1 LA01/2025/1149/S54 (Major) Undeveloped lands west of Burn, Road and bounded by Ballygallin Park, St Andrews Church of Ireland Hazeldene Drive and Mulberry Gardens, Coleraine**

Report and presentation were previously circulated and presented by Development Management Manager.

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

**App No:** LA01/2025/1149/S54

**App Type:** Full

**Proposal:** Section 54 Application to Vary Condition 9 (Glazing Installation) of Planning Application LA01/2023/1155/F (Housing Development)

##### **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.

Development Management Manager presented via power point presentation as follows:

- This application relates to an approved scheme for a total of 82 dwelling units on this suburban site in Coleraine in the Ballysally area adjacent Burn Road. This major application was approved on 05 September 2024.
- This variation of condition application seeks to change condition 9 pertaining to the installation of acoustic glazing. This condition was required to reduce noise from the adjacent Ring Road. This accompanies other noise reducing conditions identified in the consultation response from the Environmental Health Department in the initial application. These are: acoustic ventilation systems; design of external amenity spaces and; provision of acoustic barriers.
- As a Section 54 major application, there was no requirement for a PAN. Given that the changes do not relate to design, a Design and Access Statement was not required.
- In terms of the Northern Area Plan 2016, the site is within the settlement development limit of Coleraine. The site is within housing zoning CEH 38 Ballysally East. The proposal has regard to the key site requirements.

#### MAIN ISSUES

- Noise- A new Supporting Statement from Irwin Carr was submitted to accompany the application. This demonstrates that the required sound reduction can be attained with a lesser specification of glazing. This is acceptable to the Environmental Health Department. In turn, this allows the condition to be changed.
- Representations - None submitted.
- Conclusion - The proposal is considered acceptable and the recommendation is to approve.

There were no questions put to the Officer.

There were no registered speakers.

Proposed by Alderman Boyle

Seconded by Councillor Watton

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

The Chair put the motion to the Committee to vote.

11 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 in the following item Councillor Storey left the Chamber at 10:47am**

**5.2 LA01/2025/1239/F (Major) Coleraine Grammar School, 33 Castlerock Road, Coleraine**

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

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

**App No:** LA01/2025/1239/F

**App Type:** Full

**Proposal:** Section 55 application for the removal of condition 23 (Flood Risk & Drainage Assessment) from LA01/2021/1197/F (partial demolition and extension to existing Grammar School)

**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.

Development Management Manager presented via power point as follows:

- This application relates to an approved scheme for new building, extension and provision of bus pick up area at Coleraine Grammar School, Castlerock Road. This major application was approved on 29 June 2022. A further application was approved on 28 August 2025 for amendment to the bus pick up area.

- This variation of condition application seeks to remove a condition on the earlier permission requiring submission of a surface water flood risk assessment before development starts. This application is required as the approved development was undertaken without complying with this condition.
- As a Section 55 major application, there was no requirement for a PAN. Given that the changes do not relate to design, a Design and Access Statement was not required.
- In terms of the Northern Area Plan 2016, the site is within the settlement development limit of Coleraine. The site is within a designated Local Landscape Policy Area- CEL 21 Coleraine Inst LLPA. The Northern Area Plan does not have specific policy provision regarding Education, Health, Community and Cultural Facilities, directing to regional policy.

#### MAIN ISSUES

- Surface Water Flooding - A Flood Risk Assessment and Drainage Assessment was submitted in support of this application. This sets out storm water attenuation details so that discharge is at the greenfield rate. The development includes a Sustainable Urban Drainage Solution (SUDS), the effectiveness of which is confirmed by a competent person. This is an acceptable means to control surface water drainage. In turn, this allows the condition to be changed.
- Representations - None submitted.
- Conclusion - The proposal is considered acceptable and the recommendation is to approve.

There were no questions put to the Officer.

There were no Registered Speakers.

Proposed by Councillor Kennedy

Seconded by Alderman Scott

- That the Planning 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.

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

**RESOLVED** - That the Planning 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.

\* **Councillor Storey returned to the Chamber at 10:51am.**

### **5.3 LA01/2023/1247/RM (Major) Land adjacent to Dunluce House, 87 Dunluce Road, Bushmills**

Report, presentation, and speaking rights were previously circulated and presented by Development Management Manager.

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

**App No:** LA01/2023/1247/RM

**App Type:** Reserved Matters

**Proposal:** Demolition of existing agricultural, storage and cafe/dining/retail buildings, erection of tourist/recreational/educational/hot food/retail/conference and office facilities to include a visitor centre building incorporating tourism, recreational, educational hot food, retail; conference and office uses and the creation of a new and amendment of an existing access onto Dunluce Road and ancillary development related to the proposal.

#### **Recommendation**

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

#### **Addendum Recommendation**

That the Committee note the contents of this Addendum and resolve to defer the application to allow further consultation with Natural Environment Division of NIEA and DfI Roads. This recommendation supersedes that at Paragraph 1.1 of the Planning Committee Report.

#### **Addendum 2 Recommendation**

That the Committee note the contents of this Addendum and resolve to APPROVE subject to the below conditions set out at Paragraph 3.0 of this Addendum. This recommendation supersedes that at Paragraph 1.1 of the Planning Committee Report.

Development Management Manager presented via powerpoint presentation as follows:

- The proposal entails a new visitor centre with car parking at the farm complex immediately adjacent Dunluce Castle, a State Care monument. The application was last presented to the Planning Committee on 27 November 2024. At that time, the Report recommended refusal given non-resolution of natural heritage and access issues. However, after the agenda was issued, further information was submitted. These issues have since been resolved.
- This is a major classified reserved matters application and is directly associated with the outline permission which was approved in December 2020. Before that, the scheme was approved with outline permission granted on appeal in August 2015 and the related reserved matters approved in December 2018. The latest outline application had a PAN and a Community Consultation Report was submitted with the application.
- In terms of the Northern Area Plan 2016, the site is located in the open countryside, outside any designated settlement. The Northern Area Plan 2016 does not provide specific policy on tourism development. Rather, it directs to regional policy in PPS 16 Tourism. Policy TSM 2 is the lead policy to assess the proposal.

#### MAIN ISSUES

- Principle of Development - Provision is made in PPS 16 for tourist amenities in the countryside under Policy TSM 2. The proposal requires its countryside location to be in proximity to the tourist attraction.

Accordingly, the principle of development is acceptable, as established by the outline approval. The visitor centre entails interpretation areas, modest retail units, a café, small conference facilities and toilets.

- Design and Integration - The proposal makes use of existing buildings and provides replacement buildings which are in keeping with the character of the area and replicate the features of the existing buildings. While open to critical views from Dunluce Road on this elevated site, the visual impact of the proposal is similar to the existing. The proposal is in broad conformity with the scheme approved at outline stage. The car parking, accommodating 31 cars, is provided in an existing yard, modestly extending into a field with an appropriate stone wall to the perimeter.

- Archaeology - The site is located within an Area of Significant Archaeological Interest. A condition of the outline permission requires submission of a programme of archaeological work, before development starts, which includes preservation of remains in situ. DfC Historic Environment Division (HED) is not satisfied that the development can proceed on this basis. However, as this is a reserved matters application, the matter cannot be addressed at this stage. Accordingly, the Planning Department does not align with the position of HED on this matter. The matter can be further explored through the discharge of condition stage.
- Natural Heritage - Given works to existing buildings, the impact on bats is a relevant consideration. A condition of the outline permission requires submission of a Bat Mitigation Plan at reserved matters stage. Further to the submission of additional information, this issue is now resolved.
- Access - The request from DfI Roads for further information including an amended site plan, road details plan and signage schedule has been resolved through submission of additional information. DfI Roads are now content.
- Representations - None received.
- **CONCLUSION** - Further information has been received to address the issues raised previously by NIEA NED and DfI Roads. The proposal is now acceptable and the recommendation is to approve.

In response to questions the Development Plan Manager advised that the Northern Area Plan was developed in 2016 by the Department of the Environment and does not include policies for tourism, PPS16 is the relevant regional policy. The Development Management Manager advised that the new generation of plans will include a tourism strategy.

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

D Worthington thanked the Committee for allowing extra time to allow consideration of additional information and stated that the Department for Infrastructure (Roads) and the Natural Environment Division are content with the planning application. D Worthington stated that it is acknowledged that the assets have heritage and ecological significance. D Worthington stated that this is a significant investment which will improve the tourism offer of the Castle and will strengthen the contribution to tourism.

There were no questions for the speaker.  
There were no further questions put to the Officer.

Proposed by Alderman Hunter  
Seconded by Alderman Boyle

- That Planning Committee note the contents of this Addendum and resolve to APPROVE subject to the below conditions set out at Paragraph 3.0 of this Addendum. This recommendation supersedes that at Paragraph 1.1 of the Planning Committee Report.

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

**RESOLVED** - That Planning Committee note the contents of this Addendum and resolve to APPROVE subject to the below conditions set out at Paragraph 3.0 of this Addendum. This recommendation supersedes that at Paragraph 1.1 of the Planning Committee Report.

\* **Having declared an interest in the following item Alderman Coyle left the Chamber at 11:09am.**

**5.4 LA01/2024/0223/F (Objection) Playing field/public open space area adjacent/east of 55 Garvagh Road, Dungiven**

Report, presentation, addendum, site visit report and objection were previously circulated and presented by Development Management (local applications) Manager.

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

**App No:** LA01/2024/0223/F

**App Type:** Full

**Proposal:** New terrace, associated fence and path for Dungiven GAC

**Recommendation**

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

**Addendum Recommendation**

It is recommended that the Committee note the contents of this Addendum and agree to Approve planning permission as per the reasons for Approval set out in section 10 of the Planning Committee.

Development Management (local applications) Manager presented via power point presentation as follows:

- Playing field / public open space area adjacent/east of 55 Gavagh Road, Dungiven. The proposal is for a new terrace, associated fence and path for Dungiven GAC
- 1 further objection received on 23.02.2026 and I will provide a verbal addendum to this:
- Objector Comments and provided a photograph of the area behind the goal – A 75-metre hardstanding area is already established to the rear of the goalposts, providing a safe, stable and well-defined area for spectators and ensuring that viewing arrangements are appropriately accommodated within the existing site layout.
- Consideration - A photograph shows a concrete path with approximate dimensions of 75 metres by 1 metre to the south west running parallel with the pitch behind the goalposts and the ball stop net. This area is a concrete path used for access and exit to the pitch by players and match officials. This area is unsuitable for spectator viewing purposes because it has a restricted view due to the ball stop nets which has a 31 metres length.
- Comment 2 – NIHE letter of cancelled application of land purchase request and folio map line overlaid on proposed block plan.
- This has been previously raised and as advised in the PCR, Planning does not confer title and it is up to the agent to serve notice on all landowners and have the correct permissions in place prior to development.
- It is an objection item now with 17 objections from 6 different addresses.
- A summary of the objection points are set out in para 5.2 of the PCR and the addendum.
- A site visit was carried out on Monday and a note has also been circulated.
- I will also address the points of objection throughout the presentation.

- As stated, the application is for a terrace at an existing pitch. The site location shows the pitch in the blue lands which includes existing changing rooms and car park. The existing facilities were approved under the planning histories as set out in section 3 of the PCR.
- The aerial photograph showing the context of the site. To the north the site is bounded by residential development and to the south housing abounds the SE side of the pitch and open space associated with Rannylglass to the remainder of the southern boundary. The Garvagh Road to the west, and open countryside to the east. There is a change in levels from the open space with the pitch being at a lower level.
- The proposal is for a new terrace, associated fence and new path to be located within the red line.
- The proposal is to provide a path exiting the grounds at the changing room to take spectators to a terrace, the path proposed in grasscrete will go behind the existing vegetation which is to be reinforced with new hedgerow planting and 10 trees related from the location of the terrace. Access to the terrace will be through a turnstile gate and will consist of 2 steps. A 2.4m weld mesh fence will be related to the rear to the terrace
- The terrace proposed is 25.6m along the back to the steps and 26.5m along the front. The first step is 15 cm higher than the pitch level. There are no barriers between it and the pitch. The dashed line you can see faintly on the plans is the existing retaining wall and 2.4m fence to be relocated. The 10 trees and hedgerow are also shown on the plans that are to be removed and located further south as shown on the previous slide. Compensatory planting cannot be done to the rear of the proposed terrace and fence due to watermain infrastructure.
- A section of the terrace, the lower section shows the level of cut as shown on the dark dashed line. The terrace is 1.6m deep, from the front of the first step to the back. The open space to the housing development shown rising slightly up from the proposed pitch.
- The existing pitch and boundary.
- Photos showing the location of the grasscrete path, the existing fence is to be retained along with the hedgerow and trees. This area is also to be planted with 10 trees and further hedging.

- The trees and hedging to be removed to facilitate the terrace. An application for a TPO has been made to protect these trees. The TPO officer has advised that they do not meet the requirements for protection. A biodiversity checklist was also submitted and an ecology statement carried out by an ecologist confirmed no impact on protected species or habitats. Ned were consulted and are content that the proposal is unlikely to significantly impact on protected species or habitats.
- The open space and adjacent housing.
- The existing pitch and car park.
- The view of the pitch from the Garvagh Road.
- In relation to the points raised in the objections: NIHE, as the owner of the land was notified of the application and also consulted on 2 occasions. They advise correctly that planning permission does not confer title and it is the responsibility of the developer to ensure they control all the lands to carry out the development.
- In response to capacity the agent has advised that the Club confirmed that there will be no increase to numbers. The agent submitted further supporting info 10.7.2025. it advises that the pitch has been used as a training facility for many years, the main pitch is located at the top of the Garvagh Road with Main Street. It is used for youth development, training sessions and occasional small-scale youth primarily and senior games. The proposed terrace does not seek to change or intensify this use. It offers a safe, improved viewing area for those who already attend the area. They rebut the use of the SGSA Green guide for density and that the suggestion the terrace could accommodate nearly 600 spectators is a misapplication of the Green Guide which is intended for large, regulated sports grounds / stadia.
- In relation to Traffic and Parking the agent advises: Since the proposal will not increase user numbers or event frequency, there will be no additional demand for parking. The existing informal arrangements remain sufficient for the current low-level use. The terrace will improve safety by encouraging spectators to stand off the pitch rather than on grass banks or near vehicles. Dungiven GAC are a very community-focused club and very open to meeting objectors to discuss their concerns in order to improve existing parking behaviour at any of the existing events, but it's the club's position that this new terrace will not exacerbate existing parking or amenity conditions.

- In the Departments assessment as set out in the PCR: There is extant permission for a smaller terrace which is 13 m in length that can be constructed without further planning permission.
- This proposal is to increase the size to establish a safe standing space for spectators. As you could see from the photographs the available standing space is around the edge of the pitch and on a steep bank and elevated car park. The objectors also submitted photos of spectators standing on the access to the changing rooms.
- The objectors have referred to the Guide to Safety at Sports Grounds (Green guide).
- The SGSA is the UK Government's advisor on safety at sports grounds as stated on their website it is used around the world by architects and designers as a best practice guide for the development and refurbishment of stadiums. This is not a stadium.
- The Department of Communities circular on the Guide advises that the key consideration is that the guidance provides for a proportionate approach to safety and recognises the variances that exist across the sports grounds that will use the guidance. In terms of the built environment, the guidance is not being applied retrospectively.
- The Guide starts as standard capacity of 4.7m persons per metre and then you look at other factors (p) physical condition, is there barriers in place, has it shelter condition of the structure and (s) views of play, the quality of the safety management in each area. It sets standards for areas of standing terraces with barriers.
- It does not include paths, access points etc, these cannot be used for viewing, they should be kept clear of entry, exit, emergency exit, for wheelchairs etc
- We have assessed all the information from the agent and also provided by the objectors and the agent. The grasscrete path is discounted as a viewing area, it is to the rear of existing trees and hedging and a fence and this area is also to be augmented with additional trees and vegetation removing any potential views of the pitch. The proposed terrace is an increase to the previously approved terrace and is to provide an appropriate space for current attendees to have a safe standing space and on this basis we have recommended approval. The parking standards for

pitched requires no parking for spectators and that 1 space per 3 players is required which can be provided in the current car park. It is only stadia where spectator parking is provided and stadia is defined as large scale venues with tiered seating.

- The images submitted by the objectors of the cars parked on pavements and roads is a matter for the PSNI and the Club. The Club have indicated that they are happy to meet with the objectors on this matter. This is outside of the application process and relates to ongoing historic issues. We have balanced the approved terrace and the increased length in this application, that people already attend the pitch which is outside of our control and that as advised by the agent this is for current attendees to provide a safe standing area.
- Approval has been recommended.
- Ian Reilly from DfI Roads is also online for any questions.

In response to questions I Reilly, DfI (Roads) stated there is 1 space per 3 players, anything outside of this is a matter for the GAA Club and the PSNI. I Reilly, DfI (Roads) stated that the assessment was completed on the grounds that this is a training facility not a stadia.

The Chair invited R Brady to speak in objection to the application.

R Brady stated that the GAA have made no effort to engage with local residents and that Planners have accepted their word that they have engaged with residents. R Brady stated that there is a 75m path behind the goals providing the standing room required for spectators. R Brady stated that the parking problems will worsen with the increased number of spectators. R Brady stated that the new terrace will be on is owned by the Northern Ireland Housing Executive who will not sell the land due to the objections raised.

In response to questions R Brady stated that the GAA Club made no effort to contact local residents. In response to further questions R Brady confirmed that the Northern Ireland Housing Executive are unwilling to sell the required land, and a letter was submitted as part of the objection.

In response to questions the Development Management (local applications) Manager stated that the existing use of the site is long standing, the use, i.e. the number of games played, is outside of Planning and the P1 form submitted there will be 20 cars with no expected increase. The Development Management (local applications) Manager stated that stadia are subject to different policy and

that pitches such as the one being considered do not include spectators car parking. The Development Management (local applications) Manager confirmed that permission to use land owned by someone else is not a planning matter, the Planning Department are concerned only that notice is served by the party intending to use land not in their ownership.

Proposed by Alderman Boyle  
Seconded by Councillor C Archibald

- That the Committee note the contents of this Addendum and agree to Approve planning permission as per the reasons for Approval set out in section 10 of the Planning Committee.

The Chair put the motion to the vote  
7 Members voted For; 2 Members voted Against; 2 Members Abstained  
The Chair declared the application approved

**RESOLVED** - That Planning Committee note the contents of this Addendum and agree to Approve planning permission as per the reasons for Approval set out in section 10 of the Planning Committee.

\* **Alderman Coyle returned to the Chamber at 11:37am.**

#### **5.5 LA01/2023/1142/F (Objection) 42 Dhu Varren, Portrush**

Report, presentation, addendums, objection, and speaking rights were previously circulated and presented by Senior Planning Officer, R Beringer.

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

**App No:** LA01/2023/1142/F

**App Type:** Full

**Proposal:** Replacement 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 APPROVE planning permission as set out in section 10.

#### **Addendum Recommendation**

The issues raised in the representation received 28th January 2026 from the neighbour at No. 44 relate to the proposed garage and art studio. This has previously been considered in the Planning Committee Report within the considerations and assessment at Section 8.

## **Addendum 2**

It is recommended that the Committee note the contents of this Addendum and agree to Approve planning permission as per the conditions set out in section 10 of the Planning Committee report January 2026.

Senior Planning Officer presented via powerpoint presentation as follows:

- A Committee Report and 2 addenda accompany this application. The application was previously brought to the January Planning Committee and deferred to allow for further notification. Amended plans were received and notification has been carried out. The content of further representations has been considered in Addenda (as well as Committee Report).
- By way of a verbal erratum, the wording of condition 3 at Section 10 of the PCR should include '& permanently retained' at the end of the sentence.
- This application is a local application being presented to the Committee as an objection item with a recommendation to approve. There have been 12 objections to the proposal from 6 separate addresses. The objection points are set out in Section 5 of the Committee Report (and mainly relate to scale, massing, design, overshadowing, overlooking, parking, dominance and the proposed garage/outbuilding.) These points and others have been considered within the Planning Committee Report and Addenda.
- (Slide 2 - SLP) The site, as outlined in red, is located within the settlement development limit for Portrush. It is not subject to any specific zonings or designations as set out in the Northern Area Plan 2016. The site is located at 42 Dhu Varren and currently comprises an existing semi-detached dwelling with detached rear garage. Access to the garage is from Blackrock Park at the rear of the property.
- (Slide 3 – Site Plan) The proposed site plan shows the footprint of the proposed replacement dwelling in the context of the adjacent properties and includes the proposed amenity arrangements. The proposal will be detached from the existing adjoining property at No. 40. A proposed detached garage with garden room is sited at the lower end of the existing rear garden, with access from Blackrock Road.
- (Slide 4) Proposed elevations of the replacement dwelling. The dwelling is designed with the appearance of a 2.5 storey dwelling to the Dhu Varren

elevation, with an eaves height to match that of No. 40, and a three storey rear return to the Blackrock Road elevation. This is in keeping with the character of the surrounding area.

- (Slide 5) Proposed elevations and floor plans of the proposed garage. This replaces an existing detached single garage presently on the site. A garage door accesses onto Blackrock Park with parking shown for 2 cars on the ground floor. There is an artists studio/garden room above.
- Moving to some photographs of the site:
- (Slide 6) Site viewed from Dhu Varren, with the existing dwelling forming a pair of semi-detached dwellings with No. 40.
- (Slide 7) View of the site from the rear, on Blackrock Road. The dwelling to be replaced relative to the neighbouring properties.
- (Slide 8) View from within the site facing towards No. 38, with the rear of No. 40 and its associated terraces and balconies visible.
- (Slide 9) View from within the site facing towards No. 44.
- (Slide 10) View of the rear part of the site in the context of Blackrock Road and the recently constructed property.
- There have been no objections raised by consultees.
- During the processing of the application, the scheme was amended. The proposal as presented is considered acceptable. The scale, massing and design are considered acceptable on this site, and the proposal does not result in any unacceptable overlooking, overshadowing or loss of light. Appropriate boundary treatments and terrace/balcony screens are incorporated into the design to address concerns raised during processing. Adequate private amenity space and parking are provided.
- The proposed replacement garage is sited at the lower end of the rear garden. The scale, massing and design are considered acceptable in the context of the surrounding area. The level of accommodation provided is considered ancillary to the main dwelling and is acceptable. A condition is proposed restricting the use for ancillary purposes only.

- The application has been assessed in relation to the relevant policy considerations, and the proposed replacement dwelling and garage are considered acceptable. The recommendation is for approval.

There were no questions put to the Officer.

The Chair invited P McAdam to speak in objection to the application.

P McAdam stated that the proposal is not in keeping with the character of the current road scene as the surrounding area consists of either no garage structure or single storey garages. The proximity and height of the new structure creates a feeling of being fenced in especially as it is built right up to the boundary. The proposed plan sets the roof height at 0.6metres higher than that of the roof level at No 40. P McAdam stated that following the planning committee meeting held 28 January 2026, that he met with the applicant and the applicant's architect to discuss the proposed roof height of No 42 Dhu Varren. The architect proposed a very simple change to his design to align the roof height of No 42 with the ridge height of No 40 and provided a simple pencil sketch of the proposal. This design change had negligible impact on the overall design of No 42 but went a long way to respecting neighbouring amenity with No 40. P McAdam stated that this change was not included in the plans submitted to the Planning Department. P McAdam further stated that appropriate access to the garage is not possible. P McAdam requested that Planning Committee attend a site visit to see first hand the impact this proposal will have on the neighbouring amenity and local character.

In response to questions P McAdam stated that the proposals are a dwelling in all but name.

The Chair invited G Montgomery to speak in support of the application.

G Montgomery stated that the plans were originally submitted in November 2023 and that he took over the designs in June 2024. G Montgomery stated that the siting, scale and design are acceptable, that alterations required from the previous design have been completed in an appropriate manner. G Montgomery stated that the scale and massing of the proposal have been significantly reduced to suit the site and that the rear elevation aligns with the neighbour at No 44. G Montgomery stated that a structural engineer has been engaged in the project and is confident that the plans can proceed. G Montgomery stated that specific insurance is in place which includes pre demolition surveys to allow issues to be addressed. G Montgomery stated he appreciated the concerns of the neighbours and stated that assurances can be met.

There were no questions put to the speaker.

In response to questions in relation to conditions the Senior Planning Officer cited Condition 2 contained within the Planning Committee report. The Senior Planning Officer confirmed the garage can only be used for uses ancillary to the main dwelling.

In response to further questions the Senior Planning Officer stated that the ridge height is acceptable and this is addressed in Section 8.7 of the Planning Committee report.

Councillor Watton considered it appropriate to attend a site visit to see the whole road and in the interest of fairness as the Objector had requested that a Site Visit be completed.

Proposed by Councillor Watton

Seconded by Alderman S McKillop

- That the Committee defer application LA01/2023/1142/F (Objection) 42 Dhu Varren, Portrush for a site visit as it was requested by the Objector and to see the proposal in the context of the whole road.

The Chair put the motion to the Committee to vote.

12 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 the Committee defer application LA01/2023/1142/F (Objection) 42 Dhu Varren, Portrush for a site visit as it was requested by the Objector and to see the proposal in the context of the whole road.

\* **Councillor Anderson joined the meeting in the Chamber at 12:00pm.**

The Chair declared a recess at 12:00pm

The meeting resumed at 12:10pm

The Director of Corporate Services completed a roll call.

## **5.6 LA01/2023/1081/F (Objection) 4 Main Street, Castlerock**

Report, presentation and speaking rights were previously circulated and presented by Senior Planning Officer, E Hudson.

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

**App No:** LA01/2023/1081/F

**App Type:** Full  
**Proposal:** Demolition of existing buildings, erection of 3 storey building comprising retail unit, coffee shop and 6 no apartments, access and associated site works

### **Recommendation**

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

Senior Planning Officer presented via powerpoint presentation as follows:

- (Slide) Planning Application LA01/2023/1081/F. This is a full application for the Demolition of existing buildings and erection of a 3 storey building comprising retail unit, coffee shop and 6 no apartments, access and associated site works and it is at no. 4 Main Street, Castlerock.
- (Slide) This is the red line boundary of the site. The site is located along Main Street, Castlerock and within the SDL of Castlerock which is defined as a village in the NAP.
- (Slide) This application is being presented as an objection item to Committee. There are 27 objection letters from 13 separate addresses.

Site layout. The site currently comprises a shop, small coffee shop and 2 separate retail units to the rear. There is also an existing apartment above the shop. As the proposed uses are similar to what is currently on site the principle of development is considered acceptable.

The application has been assessed have regard to the NAP, SPPS, PPS 7, Addendum to PPS 7, PPS 2 and 3, the planning strategy and other supplementary guidance together with letters of representation and consultee advice and our recommendation is to approve planning permission with conditions.

- (Slide) This is a contextual drawing of the site along Main Street. The top image is the current streetscape and the one below is the proposed. The application has been amended a number of times during the processing.
- (Slide) By way of background this is the original scheme submitted. It included an extra floor at the top with an additional 3 apartments, a ramp running along the side elevation of no. 8b Main Street leading to a first

floor car park to the rear. There were concerns in relation to the scale and massing of the building, the impact on the amenity of adjacent properties in relation to the dominance of the ramp, safety and the impact of the car park on the adjacent apartment block.

A number of the objections received related to the dominance of the building, the safety and amenity issues of the ramp and the overlooking and overshadowing from the first floor car park.

- (Slide) After a number of amendments this is the final scheme. The building is now 3 storey in height similar to other buildings along Main Street. It was reduced in height and stepped down towards the adjoining dwelling at 8b Main Street. There is an archway at this end of the building leading to ground floor car parking. This is a similar arrangement to the adjacent apt block at Bawnmore Court. The stepped down approach and archway helps to break up the frontage and together with a mix of materials and balconies on the front fenestration helps to reduce the horizontal appearance.
- (Slide) These are the proposed floor plans. The ground floor comprises a retail unit which is a reduction in floorspace of the existing shop on site. Adjoining the shop unit is a coffee shop which is greater in footprint than the existing coffee shop although the existing coffee shop includes external seating. Above this the first and second floor comprise 6 apartments – 3 on each level. They are 2 bed apartments and meet the space standards as identified in the Addendum to PPS 7. They each have their own balconies and are close to local amenities. The ground floor comprises 6 parking spaces reserved for the apartment block and 3 spaces for the commercial units (including one disabled space) as well as 2 on street spaces. The ground floor also includes bin storage area for the apartments and commercial units which are separated.
- Objections raised the issue of parking and disturbance of deliveries. Based on the parking standards there is a shortfall of car parking for the proposed uses. However, the existing uses on site have a similar shortfall in terms of provision. Weight has also been given to the sites location within the centre of Castlerock, it is adjacent to the train station, bus stops and on street and public car parking. It is a highly accessible location within walking distance of many amenities.
- (Slide) Photos – View of the site along Main Street.
- (Slide) Photo opposite direction along Main Street

- (Slide) Closer view of the site frontage
- (Slide) A view of the eastern boundary of the site taken from the rear of Bawnmore Court. The majority of objections received were from the residents of this apt block. Initially the proposal included a first floor car park which would have sat adjacent to boundary and at first floor level.

Residents raised concerns in relation to the height of the boundary proposed and overlooking from the car park area. The Planning dept also had concerns in relation to the car park. This has since been removed and the boundary will now be defined by the side of the retail units with a flat roof above. It will just sit marginally above the wall that is currently defining the boundary. There will be no access out onto this flat roof.

- (Slide) This is a photo from the back of the train station with the side of the adjacent apt building.
- (Slide) There is a residential property attached to the train station. And this is a photo taken from the rear. It is very close to the boundary with the site. Where the bins are located. There is a separation distance of around 12.6 m between the 3 storey apartment element of the proposal and the shared boundary. Development along the rear boundary is limited to the single storey retail/coffee shop unit which has a flat roof and will have a similar height to the boundary which exists. The impact on this property isn't considered to be unacceptable.
- (Slide) View towards the boundary with the adjacent dwelling at no. 8b. Previously a ramp was proposed along this boundary which would have required a boundary wall reaching up to 5 metres along the shared boundary. This has been removed and it is proposed to construct a 1.8 m rendered wall along the boundary which is considered acceptable.

Objectors also raised the issue of foul sewage disposal. The application has submitted a WWIA to NIW and they have confirmed a suitable solution is acceptable. Negative conditions have been recommended to address this.

There were no questions for the Officer.

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

D Monaghan stated that this application was initially for a 3 ½ storey building but was scaled back to 3 storeys and 3 apartments were removed after

discussion with Planning Officers. D Monaghan stated that this application is acceptable in character, height and design.

There were no questions put to the speaker.

In response to questions the Senior Planning Officer stated that most objections were in relation to the previous application, the final amended application received 2 objections.

Proposed by Councillor Kennedy

Seconded by Alderman Coyle

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

The Chair put the motion to the Committee to vote.

11 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 for the reasons set out in section 10.

#### **5.7 LA01/2025/0828/F (Objection) 9-11 Atlantic Avenue, Portrush**

Report, presentation and speaking rights were previously circulated and presented by Senior Planning Officer, R Beringer.

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

**App No:** LA01/2025/0828/F

**App Type:** Full

**Proposal:** Demolition of existing buildings and construction of 4 storey building to provide 4 no. apartments and associated amenity areas. (Renewal of LA01/2020/0327/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 APPROVE planning permission subject to the conditions set out in section 10.

Senior Planning Officer presented via powerpoint presentation as follows:

- LA01/2025/0828/F is a full application for the demolition of the existing buildings and construction of 4 storey building to provide 4 no. apartments and associated amenity areas. (Renewal of LA01/2020/0327/F) at 9-11 Atlantic Avenue, Portrush
- A Committee Report accompanies this application.
- This application is a local application being presented to the Committee as an objection item with a recommendation to approve. There have been 6 objections to the proposal. The objection points are set out in Section 5 of the Committee Report (and mainly relate to overlooking, overshadowing, scale, traffic & parking, emergency access, noise and impact on property values.) These are considered in full in the Planning Committee Report.
- (Slide 2 - SLP) The site, as outlined in red, is located within the settlement development limit for Portrush and within the defined town centre. The site is located at Nos. 9-11 Atlantic Avenue, on the corner of Atlantic Avenue and Mark Street Lane. The site comprises 2 semi-detached buildings.
- (Slide 3 – Site Plan) The proposed site plan shows the footprint of the proposed apartments in the context of the adjacent properties on Main Street and Mark Street Lane.
- (Slide 4) Moving to proposed floor plans, there are 4 apartments proposed, 1 one bedroom on the ground floor, and 3 two bed apartments on the upper floors.
- (Slide 5) Proposed elevations. This shows the proposal in the context of the adjacent properties, with the elevation to Atlantic Avenue (top) and Mark Street Lane (bottom).
- (Slide 6) Proposed roof terrace. There is communal amenity space proposed at roof level. The roof plan shows the proposal in relation to the adjacent adjoining development on Main Street.
- Moving to some photographs of the site:
- (Slide 7) View of the site from Atlantic Avenue

- (Slide 8) View down Mark Street Lane, with the site just on the left hand side of the image.
- (Slide 9) View from Atlantic Avenue looking back towards Main Street.
- (Slide 10) View of the rear of the site from Mark Street Lane.
- There have been no objections raised by statutory consultees. The proposal is the renewal of a previously approved scheme for the same development under LA01/2020/0327/F.
- The proposal is situated on a corner site in the town centre and the height is reflective of neighbouring buildings, appropriate to the character of the surrounding area. The proposal is considered acceptable in terms of layout, scale, massing and design, and will not significantly harm the surrounding context.
- The proposal will not create unacceptable conflict with adjacent land uses and there is no unacceptable adverse effect on neighbouring properties. An obscure glazed balustrade is provided to the roof terrace and a condition included in respect of same. Adequate amenity space is provided, and access and parking arrangements are acceptable, with no changes to the previously approved arrangements.
- The application has been assessed in relation to the relevant policy considerations, there has been no change in policy since the previous approval, and the proposed development is considered acceptable. Approval is recommended.

There were no questions put to the Officer.

The Chair invited S McKee to speak in support of the application.

S McKee stated he welcomed the recommendation and the detailed report provided by the Senior Planning Officer and sought questions from Planning Committee Members.

There were no questions put to the speaker.

In response to questions the Senior Planning Officer advised that objections were mainly in relation to:

- Overlooking and overshadowing, this has been addressed through the use of screening.

- Traffic and parking, there is no change to this.
- Emergency access arrangements are a management responsibility as outlined in paragraph 8.19 in the Planning Committee report.

Proposed by Councillor Anderson  
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.  
11 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.

\* **Councillor McMullan joined the meeting in the Chamber at 1:03pm during consideration of the following item.**

**5.8 LA01/2023/0418/F (Referral) 70m SE of 23 Ballymacrea Road Portrush**

Report, presentation, addendums, speaking rights, correspondence from agent, objection and revised speaking rights were previously circulated and presented by Development Management (local applications) Manager.

**Referral Application to be determined by Planning Committee**

**App No:** LA01/2023/0418/F

**App Type:** Full

**Proposal:** 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

**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 members note the image of the ruinous structure.

That the application was deferred for one month to allow the change of description and readvertisement.

### **Addendum 2 Recommendation**

It is recommended that the Committee note the contents of this Addendum and agree to refuse planning permission as per the reasons for refusal set out in section 10 of the Planning Committee report November 2025.

Development Management (local applications) Manager presented via powerpoint presentation as follows:

- Is a full application for the “Refurbishment and conversion of former blacksmith's forge to a dwelling and the Refurbishment and conversion of shed to dwelling. Demolition of former showroom and weighbridge building. Associated landscaping and access works”.
- The application was previously deferred to allow a change in description and readvertisement.
- 2 addenda have been circulated to that effect.
- I wish to also provide a verbal addendum to a letter of support submitted by the agent under personal and domestic circumstances. This has been circulated to members. To discuss further the details members may wish to do so in Committee,
- I also wish to advise of an objection letter received on Tuesday. They wish to question a planning application at Craighulliar for the rebuilding of ruins into 2 houses. It would seem that it is being claimed that the site was a Blacksmiths forge, used in connection with the Craighulliar quarry. Folk who worked at Craighulliar quarry and later at the block works have no recollection of this use. There was a blacksmith forge and cottage some way further down the Ballymacrea Road. but it was demolished and a new house built in the field beside it years ago, this was known as Craighullair Forge, maybe this is where the misunderstanding has come from? They also query the applicant being linked with the caravan park. If a dwelling so close to the landfill would be a health risk?
- These objection points will be addressed through the presentation of this application which has been recommended for refusal.

- The application site comprises of an existing concrete access lane, a single storey flat roof building, two attached single storey outbuildings and the remnants of an old stone building. The site is accessed via the existing concrete laneway used to access the existing Craighulliar caravan park, which is to the immediate north-west of the site. The laneway continues south of the site to access Craighulliar landfill site which is to the immediate south/south-east of the site.
- The site is located within the rural area outside any settlement development limit as defined in the Northern Area Plan 2016. The proposal has been considered under the SPPS edition 2 and PPS 21 Policy CTY 4 and also CTY 6.
- The site location on the left of the slide shows the site adjacent to the Craighulliar caravan park and off the access road to the landfill site. The proposal relates to the structures A and B. A being the ruinous building and B the shed.
- The image to the right on the slide is the proposed block plan showing the proposed development including landscaping. The slide shows the ruinous building and the proposed dwelling. As set out in the planning committee report the application has been considered under the SPPS Ed 2 an PPS 21 namely Policy CTY 4.
- The SPPS allows for the sympathetic conversion and re use of existing buildings and adaption if necessary for residential use of a locally important building such as a former schoolhouses, churches and older traditional barns and outbuildings
- The proposed structure referred to as the blacksmiths forge is in an advanced ruinous state and is not considered a suitable building for conversion in that due to it ruinous state it could not be argued as locally important as there is little awareness of it in the landscape. The agent submitted Doc 01 Planning Statement which provides information on the historic development of the site
- Further supporting information Doc 03 was submitted on the 30.01.24. This information discussed the historical/heritage assessment of the Craighullier quarry site as a whole. This information noted that the “building 3” the building formally referred to as the Blacksmiths forge, dated from 1909-1921 and noted that local hearsay referred to this building as having been a blacksmiths workshop however there is no

physical evidence to support this claim and its historical interest lies in the fact that it was erected 1909-1921 and is associated with the quarry. "Building 4" referred to as the shed is noted as maybe have been a garage constructed between 1921 – 1951.

- The information concludes that the two buildings are of no special architectural merit, but the historical interest of them relies primarily on their association with the historical quarry. A shed and ruinous building that may or not have been a forge is so far advanced stage or dereliction that it fails to be a locally important building and any historical merit would be extremely limited.
- While the wider environs may have some economic importance historically, the proposed buildings do not in their own right.
- In terms of Policy CTY 4 it sets out a number of criteria that a proposal also needs to satisfy, the criterion are set out in para 8.4 of the PCR. Criteria asks that it is of permanent construction. Though there is a degree of permanence it is in such a ruinous state and would not be considered a suitable building for conversion.
- Criteria (b) requires the reuse or conversion would maintain or enhance the form, character and architectural features, design and setting of the existing building and not have an adverse effect on the character or appearance of the locality that the conversion ensures that the character is not lost to the overall scheme of development.
- The proposed development significantly alters the existing building and its setting not considered sympathetic to the scale or massing of the existing structure. Views of the ruinous building would be removed by the development which extends some 21 m beyond the existing wall of the structure. The proposal is not sympathetic to or retain or enhance the form character and architectural features. There is a proposed increase in floorspace from 93m<sup>2</sup> to 365m<sup>2</sup>. The scale of the proposed development dominates the existing structure and fails to retain or enhance its form.
- The proposal fails criteria (b) in that the proposed development overwhelms the existing building and is not sympathetic to or maintain or enhance its form. The remainder of the criterion are met as set out in the PCR.
- The image to the right shows the elevations and footprint of the shed and the proposed image to the left are the proposed floor plans. It provides a

proposed 2 bed residential property with attached garage, gym and large upper floor loft area, which has no use ascribed to it in the plans.

- The proposed elevations. Policy is clear that buildings designed as sheds are not applicable for conversion. The proposal has also been requested to be considered under Policy CTY6 for personal and domestic circumstances.
- Circumstances notes planning permission will be granted for a dwelling in the countryside for the long-term needs of the applicant, where there are compelling, and site specific reasons for this related to the applicant's personal or domestic circumstances and provided the following criteria are met:
  - the applicant can provide satisfactory evidence that a new dwelling is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if planning permission were refused; and
  - there are no alternative solutions to meet the particular circumstances of the case, such as: an extension or annex attached to the existing dwelling; the conversion or reuse of another building within the curtilage of the property; or the use of a temporary mobile home for a limited period to deal with immediate short term circumstances.
- Para 5.28 of the policy which notes, "There may be cases where special personal or domestic circumstances require a new house in the countryside. Such cases will include instances where a young adult who requires a continuing and high level of care, but who could also benefit from a greater degree of independent living."
- Inadequate information has been put forward to demonstrate that there are no alternative solutions to meet the particular circumstances of the case, such as: an extension or annex attached to an existing dwelling for example the applicants existing home. There has been insufficient detail provided that a new dwelling is a necessary response to the particular circumstances of the case and that genuine hardship would be caused if planning permission were refused.
- In addition, as the principle of development under CTY4 has not been established there are no compelling and site specific reasons to merit the dwelling under policy CTY6. The proposal is not a necessary response to

the circumstances of the case and it has not been demonstrated that a hardship will result. The application fails CTY 6.

- Photo of the ruinous building which is to be considered for conversion
- Gable of the building to the left of the slide and then view of the shed.
- Views of the shed you can see also their ruinous state.
- The PCR clearly sets out that the proposals do not meet with the SPPS and PPS 21.
- The “blacksmiths forge” is not considered to be a suitable building for the purposes for conversion, the sheds and “Blacksmiths Forge” are not considered to be locally important due to their ruinous state, the reuse or conversion would not maintain or enhance the form, character and architectural features, design and setting of the existing building and the new extensions are not sympathetic to the scale, massing and architectural style and finishes of the existing building.
- It has not been demonstrated that a new dwelling is a necessary response to the particular circumstances of the case, that genuine hardship would be caused if planning permission were refused, that there are no alternative solutions to meet the particular circumstances of the case and there are no overriding reasons why the development is essential and could not be located in a settlement.

In response to questions the Development Management (local applications) Manager read the proposal and stated that the proposal is for 2 dwellings: the buildings with the red roof and tin roof are to be converted to a dwelling, the attached single storey building is to be demolished, and the ruinous building is to be converted to a dwelling. The Development Management (local applications) Manager stated this application was considered under 2 policies personal reasons and the conversion.

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

D Dalzell stated that there were no objections to the planning application and that a recent application to refurbish the old workshop and canteen at Craighullier, Planning reference LA01/2023/0417/F, was overturned. D Dalzell stated that Dr Hammond has assessed the buildings and has concluded that they are of historic heritage interest for their age and wall fabric, and as physical

evidence of the quarry's development. It is indisputable that these buildings are of local historic interest, it follows that they are locally important. D Dalzell stated that by recommending refusal of the reuse and refurbishment of these buildings, the Planning Officers are sending a message that vernacular buildings and buildings with industrial archaeological interest but otherwise without statutory protection, are not worth retaining.

C Mayrs spoke in support of the application and explained the family's need to provide independent living for their daughter due to health needs. He stated:

[REDACTED]

[REDACTED]

[REDACTED]

*The planners have assessed the proposed accommodation for [REDACTED] as if it were a new dwelling in the countryside. They have failed to take account that Ellen's Annex (as proposed) fits CTY 6 perfectly, where a "suitable alternative" to a new dwelling in the countryside is the "conversion and reuse of another building within the curtilage of the property". The host building for [REDACTED] Annex (the old shed/garage) is clearly within the curtilage of the Forge.*

D Dalzell stated that vegetation provided integration of the site.

D Alexander stated that the site is adjacent to his property.

The Chair advised that the speakers had reached their 5 minute time limit for speaking.

In response to questions C Mayrs stated that 1 dwelling would be for his daughter to live in and 1 dwelling would be for his wife and himself to live in. C Mayrs stated that the proposal was about getting a balance between providing the right support for his daughter and promoting independence.

In response to a request to provide more information on his speaking rights template D Alexander stated that there is a challenge to the Planning Appeals Commission decision in progress and that the KC concurs that the decision regarding this is wrong. D Alexander stated that it is premature for Planning Officers to put weight on this as case law takes precedent over dictionary definitions and policy. D Alexander stated this is under consideration by the Northern Ireland Public Services Ombudsman.

In response to further information regarding CTY4 being met D Dalzell stated that both buildings are stone built and are of permanent construction. D Dalzell stated that the forge may have been a dwelling, that he remembers it having a roof until storm damage affected it and that the garages were used for HGV maintenance. D Dalzell stated that the buildings are substantial, that they tell a story and the proposals are of sympathetic design. D Dalzell stated that vegetation provided integration of the site. D Dalzell stated that [REDACTED] needs need to be met and that vegetation provides integration of the site. D Dalzell stated that the criteria for CTY4 are met.

In response to further questions D Dalzell stated that rural buildings are not listed or protected, that there is a growing appreciation of old buildings and the context of these industrial buildings paints a picture.

In response to questions the Development Management (local applications) Manager stated that the Planning Committee report stands, that the Planning Appeals Commission and Northern Ireland Public Services Ombudsman's work is outside of the Planning Department.

Proposed by Councillor Kane  
Seconded by Councillor Watton

- That the Committee defer application LA01/2023/0418/F (Referral) 70m SE of 23 Ballymacrea Road Portrush for a site visit to get a better understanding of the layout of the existing buildings.

The Chair put the motion to the Committee to vote.  
11 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 the Committee defer application LA01/2023/0418/F (Referral) 70m SE of 23 Ballymacrea Road Portrush for a site visit to get a better understanding of the layout of the existing buildings.

The Chair declared a recess for lunch at 1:19pm

Committee and Member Services Officer, J Keen left the Chamber at 1:19pm.

The meeting resumed at 2.00 pm

Committee and Member Services Officer, I Owens joined the Chamber at 2.00 pm.

**5.9 LA01/2023/0599/A (Referral) On Lands c. 120m North West of approved Petrol Filling Station, 254 & 256 Frosses Road, Cloughmills**

Report, presentation, addendum, speaking rights were previously circulated and presented by Senior Planning Officer, J McMath.

**Referral Application to be determined by Planning Committee**

**App No:** LA01/2023/0599/A

**App Type:** Advertisement Consent

**Proposal:** Lands c. 120m North West of approved Petrol Filling Station, 254 & 256 Frosses Road, Cloughmills.

**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 advertisement consent subject to the conditions set out in Section 10.

**Addendum 2 Recommendation**

That members note the referral request from Cllr Tanya Stirling which is now attached and agree to refuse advertisement consent as set out in section 10 of the Planning Committee report.

Senior Planning Officer presented via power point presentation as follows:

- Advertisement consent is sought for the erection of a totem sign in association with a Petrol Filing Station at land approximately 120m North

West of the approved Petrol Filling Station, 254 & 256 Frosses Road, Cloughmills.

- The site is located on a flat grass verge sandwiched between the dual carriageway and the slip lane onto the old Frosses Road which provides access to the PFS and several dwellings.
- The site is located in the countryside outside any SDL in an area which is rural in character.
- By way of background, a PFS has operated at this site for a number of years with permission granted in 2007, 2012 and 2021 for the redevelopment of the site. Advertising consent was also permitted in 2023 for a similar totem but (10m in height) located at the approved Petrol Filling Station. This totem sign has already been erected.
- The proposed development is for a totem sign comprising a steel frame with aluminium cladding, measuring 6m in height and 1.6m at its widest point which incorporates the company logo, a side lightbar, and 5 LED backlit inset panels displaying fuel prices and on site facilities. It is proposed to erect the totem sign 80 to 150m NW of the existing PFS which already benefits from a totem sign.
- Due to the height, isolated position, illuminated panels and solid vertical form, the totem would present as a visually prominent and highly conspicuous feature which draws attention when viewed on approach from both directions along A26. The totem would break the skyline and interrupt the open rural character and result in unnecessary visual clutter which detracts from visual amenity.
- The location remote from the existing PFS and the other previously approved totem would result in an uncoordinated signage arrangement with the totem failing to read as part of the PFS or integrate with existing building into the vicinity. The proposal would if permitted have a detrimental effect to the visual amenity of the existing area by creating a prominent feature isolated in the landscape and would fail to respect amenity of the area.
- The agent suggests that the totem at the slip road entrance is essential for road safety as the PFS primarily serves A26 traffic because services are only reachable from the high speed southbound carriageway and that motorists require early notice to reduce speed and position for the exit and that the totem is to give advance warning. However, it is noted that the PFS is currently served by an existing 10m high totem located at the PFS entry/exit point. In addition a standard DFI Roads "Services" sign is positioned to identify the PFS at the next turn off and the slip road exit is clearly identified by standard countdown markers with another "services" sign positioned at the application site already exists. It is noted that a large timber sign detailing facilities available at the next services approx. 400m before the slip road. Despite the road layout the secondary totem

is off site unprecedented and unnecessary given that adequate signage already exists.

- Para 4.8 of AD1 emphasises the importance of protecting the amenity of the countryside and notes that only on site advertisements relating to businesses are normally acceptable and such signage should be small scale and not detract from rural character. In regards totem sign the policy guides that such signs should be in scale with their surroundings and should not exceed building heights, should not detract from visual amenity or character, should not be sited adjacent to or directly face residential properties and illumination should generally be restricted to sign lettering and the logo.
- The proposal fails to comply Paragraphs 6.52, 6.57, and 6.59 of the Strategic Planning Policy Statement 2<sup>nd</sup> Edition and Policy AD1 of Policy Planning Policy Statement 17 in that the sign is an unduly prominent feature that harms visual amenity and detracts from the rural landscape character. Consent for an additional totem sign at this off site location would establish an inappropriate and harmful precedent for comparable speculative proposals.
- The recommendation is to Refuse.

The Chair invited questions from Elected Members for the Senior Planning Officer.

At the request of Alderman Boyle the Senior Planning Officer advised that no engagement was forthcoming from the applicant regarding size/positioning; The Senior Planning Officer via PowerPoint provided clarity on the status of all the signage as photographed and confirmed that the totem sign in situ had not been subject to planning approval.

At the request of Councillor Storey the Senior Planning Officer confirmed that the application brought for consideration was to seek approval for advertising consent.

**\* Alderman Hunter rejoined the meeting at 2.20 pm.**

The Chair invited L Ross to speak in support of the application.

L Ross stated that this application is for a totem for a Petrol Filling Station located on the Frosses Road. The sole issue is around visual amenity regarding PPS17. There have been no objections, no issues with public safety and no issues raised by DfI Roads. Frequently DfI Roads do object to applications and notably on this occasion they did not. Petrol Filling Station purpose is to service traffic on the A26, a high specification regulated route

subject to unusual road layout only accessible via a slip road. Due to the speeds travelled at on the road this sign is required to ensure early detection as when you see the facility it is too late to make the manoeuvre safely otherwise. This is a public safety matter. The area is not open countryside – it is a dual carriageway and part of a major highways infrastructure. The application relates to an established facility and not for a new commercial use with the 6 m scale of the totem being typical in design.

The Chair invited questions for Elected Members for the speaker.

At the request of Alderman Boyle L Ross said that Planners had advised during the application process that they would be refusing the application and that there was no room for negotiation.

L Ross further said that the developer had raised concerns around safety during initial works which led to the current sign being positioned as vehicles had to make swift manoeuvres. L Ross confirmed that the current totem is not illuminated.

At the request of Alderman Boyle L Ross explained that consideration had been given to other options but that it was considered this sign provided the right balance and was not too far away from the Petrol Filling Station as to be dislocated.

L Ross said he respectfully wished to receive approval by Members at today's meeting and reiterated his view that while he respected the view of Planning Officers he would have been open to negotiation if it would have been permitted during the process.

At the request of the Chair L Ross said that the sign was only visible to south bound traffic as had no detail on the reverse side and there were no plans in place for this scenario.

Councillor Storey spoke of the Road Service input during the consultation process and how preciously they guard these routes and felt that if they had no issues and felt there was not a safety issue there was not a case to make and felt that the matter was one of context and required a balanced approach.

Councillor Storey spoke of the associated dangers on this stretch of road which was one of the busiest arterial routes with over 20,000 vehicles travelling daily.

Councillor Storey said that many of the signs were not sufficiently large enough with many other types of signage being larger than required and gave relevant and local examples.

At the request of Councillor Storey the Senior Planning Officer said that the refusal reason was not one of public safety but of consideration to the surrounding characteristics and visual amenity and policy guidelines and cited policy.

Councillor Storey said he understood the reference to policy however in the light of the application he said that the design and location was sensitively considered and one could argue that the visual aspect of the application was inextricably linked to the issue of safety.

**\*Alderman McKillop returned to the meeting in the Chamber at 2.50 pm**

L Ross said he was not aware of Road Service legislation and said that the request for this signage was to minimise the potential for accidents and gave an example of a near miss situation saying the proprietor was trying to be pro-active.

Councillor Kennedy referred to the whole aspect of road safety on what is a major dual carriageway where vehicles are required to refuel and referred to similar totem's in other locations.

At the request of Alderman Coyle the Senior Planning Officer showed slides which pinpointed the exact positioning of the proposed totem.

Proposed by Councillor Storey  
Seconded by Councillor Kennedy

- That the 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 advertisement consent for the following reasons:-

Reasons well rehearsed by the Agent;  
Meets with policy SPPS;  
Does comply with 6.52, 6.57 and 6.59 as cited in the report;  
Does not visually clutter;  
Issue of safety compliant in keeping with PPS17;  
Does not prejudice public safety

The Chair put the motion to the Committee to vote.  
10 Members voted For; 0 Members voted Against, 1 Members Abstained.  
The Chair declared the motion carried and application

**RESOLVED** - That the 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 advertisement consent for the following reasons:-

Reasons well-rehearsed by the Agent;  
Meets with policy SPPS;  
Does comply with 6.52, 6.57 and 6.59 as cited in the report;  
Does not visually clutter;  
Issue of safety compliant in keeping with PPS17;  
Does not prejudice public safety

**RESOLVED** – That Conditions and Informatives are delegated to Officers.

#### **5.10 LA01/2024/1045/O (Referral) Land adjacent and South West of 44 Station Road, Dunloy**

Report, presentation and erratum and speaking rights were previously circulated and presented by Senior Planning Officer, M McErlain.

##### **Referral Application to be determined by Planning Committee**

**App No:** LA01/2024/1045/O

**App Type:** Outline

**Proposal:** Site for 2 infill dwellings in accordance with policy CTY.8 (2x two storey detached dwellings).

##### **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.

##### **Erratum Recommendation**

That the Committee agrees with the recommendation to refuse as outlined in paragraph 1.0 of the Planning Committee Report.

Senior Planning Officer presented via PowerPoint presentation as follows:-

- LA01/2024/1045/O is an Outline application for the provision of 2no. Infill dwellings at Land adjacent and South West of 44 Station Road, Dunloy
- 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 NAP2016 - The site is not located within any environmental designations.
- No objections have been received in relation to this application
- The application site as defined by the red line boundary comprises a roadside plot which is contained within the southern portion of an agricultural field. The site is bound to the roadside by mature vegetation, to the south-west by post and wire fencing and to the north-east by mature hedgerow and trees. The north-western boundary of the site remains undefined as this is where it meets the wider field.
- There is no previous planning history on the site.
- This slide is an extract from the Northern Area Plan and shows the site located to the north east and outside of the settlement development limit of Dunloy as defined in the Northern Area Plan 2016.
- 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.
- The Preamble within PPS21 states that PPS21 sets out planning policies for development in the countryside. The preamble also clarifies that *“For the purpose of this document the countryside is defined as land lying outside of settlement limits as identified in development plans. The provisions of this document will apply to all areas of Northern Ireland’s Countryside”*.
- Therefore, in assessing proposals for new infill dwellings the relevant buildings required to establish a substantial and continuously built-up frontage, must all exist within the countryside.
- While the dwelling No. 44 to the North East of the site is within the rural area the dwellings at Nos. Nos. 36, 34a, 34 and 30 are located within the settlement limit of Dunloy and cannot be taken to represent buildings within or contributing to the formation of a substantial and continuously built-up frontage within the rural area.
- As there is only one dwelling within the countryside at this location there is no substantial and continuously built-up frontage and subsequently no gap in which to infill.
- This is the settled position of the Planning Department and is consistent with that of the Planning Appeals Commission as outlined in appeals 2020/A0162 and 2024/A0097 (Appendix 2+3 of committee report)
- Notwithstanding the lack of a built-up frontage or gap site and for completeness of assessment while having regard to the average frontages, this site would have a frontage length larger than the average plot width. The gap (building to building) could accommodate 3 dwellings. Even if it was accepted there is a continuous and built-up frontage for the purposes of CTY8, the gap site is not a small gap site capable of only accommodating up to a maximum of 2 dwellings

- Additionally, the infilling of this gap would result in the proposal adding to development along this stretch of the road resulting in the creation of ribbon development.
- Paragraph 5.84 of PPS21 outlines that the principle of drawing a settlement limit is partly to promote and partly contain new development within that limit and so maintain a clear distinction between the built-up area and surrounding countryside.
- As you can see from the slides beyond the settlement limit the application site and surrounding lands mark a pronounced change in character between the urban character of the settlement and the open countryside.
- The dwelling at No. 44 Station Road to the north of the application site is both physically and visually removed from the settlement limit by its distance and natural screening
- Development of the application site would extend development outwards from the settlement limit into the countryside resulting in a visual link between the defined urban setting and the rural dwelling at No. 44 which, would mar the distinction between the settlement and countryside through urban sprawl. Consequently, the proposal is contrary to Paragraph 6.71 of the SPPS and Policy CTY15 of PPS21. The proposal is therefore contrary to Paragraphs 6.70, 6.71 and 6.73 of the SPPS and Policies CTY1, CTY8, CTY14 and CTY15. In addition, no overriding reasons have been forthcoming as to why the development is essential, therefore the proposal is contrary to CTY1.
- Reference was made to Planning Appeal 2017/A0147 which related to a small plot of land immediately adjacent and outside of the settlement limit of Dunloy.
- Within the appeal the Commission noted that “in its setting, it does not appear as unambiguously agricultural or rural in character”. The appeal further established that “Furthermore, on approach along the road in either direction, the proposed development, because of its design, the composition of the appeal site and its juxtaposition with adjacent development, would read as an integral, albeit extended part of the urban fabric of Dunloy. Appeal 2017/A0147 is therefore not directly comparable to the application proposal given the site-specific circumstances outlined
- In terms of integration, it is noted that the application proposes 2 storey dwellings. It is considered that care would be required in terms of the scale and heights of any dwellings on site. However, with appropriate design including low ridge levels, retention of existing mature vegetation and provision of additional landscaping it is considered that the visual impact of the proposal would not be so significant as to merit refusal
- The application site is located within close proximity to Dunloy Wase Water Treatment Works. NI Water advise that the proposed development

may experience nuisance due to its proximity to the operations and an Odour Encroachment Assessment is required to determine the compatibility of these proposals with the existing operation of the Wastewater Treatment Works.

- An Odour Encroachment Assessment was requested by the Planning Department however, the applicant advised that they did not intend to submit the assessment at this time. Therefore, it has not been demonstrated that there would not be an unacceptable loss of residential amenity from odour associated with the Wastewater Treatment Works to the occupants of the proposed development. The proposal is contrary to Paragraph 6.325 of the SPPS and Policy WM5 of PPS11.
- In addition to NI Water Consultation was also NIEA, DFI Roads, Environmental Health, Northern Ireland Electricity and Translink who raise no objection.
- Refusal is recommended

The Chair invited questions from Elected Members for the Senior Planning Officer

At the request of Councillor McMullan the Senior Planning Officer advised of issues around the odour and mitigating measures and comparables of neighbouring buildings.

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

M Smyth stated as follows:-

Despite listing 5 reasons for refusal the key considerations are principle and amenity.

Planners state that the application is relying on 36, 34a, 34 and 30 Station Road, located with the settlement which is incorrect. The site is located within the built-up frontage of more than 3 buildings which includes No 36 to the southwest and No 44 and its outbuilding to the northeast. This constitutes the row of 3 or more buildings. The site has frontage to Station Road which is of sufficient width to accommodate a maximum of two dwellings which is permitted by policy.

This site has a frontage width of circa 104m, equating to a plot width of 52m each. Planners assessment of plot widths includes Numbers 36, 34a, 34 30 and the Memorial Hall. All of these properties are located within the settlement limit and represent urban development as opposed to rural plots. No 36 adjacent to the site is a small plot in a suburban housing development which is much smaller.

Planners assessment of the average plot width is 41.8m. The average is reduced dramatically with the small plot at No 36 which has a 20.5m frontage and No 34a which has a width of 28.5m. The other identified plot widths range from 47m up to 56.5m. This proposal has a width of 52m for each plot. This is comparable and within the range of existing plot widths identified by Planners.

Planners assessment of plot size largely includes urban sites within the settlement limit which are smaller – including the very small suburban housing development plot at No 36. The overall plot size of this site is 0.71 hectares. As the application is for two infill dwellings the plot size for each site is therefore only 0.35 ha and considerably smaller.

A nearby property at No 6 Carrowadoon Road has plot size of circa 0.8 ha and larger than this proposals plot size. To maintain an orderly pattern of development the rear boundary of the application site has been plotted to line through with the dwellings at Nos 36a, b and C Station Road to the southwest. If it would satisfy the Committee the rear boundary of the site can be brought inward to create a more acceptable plot size.

While we acknowledge the referenced PAC decisions in the Committee Report. The upheld PAC decision for the infill site at Tullaghans Road, on the western side of Dunloy adjacent to the settlement limit cannot be dismissed. This decision dealt with a similar context to this application in relation to what makes up a frontage and the buildings eligible for consideration including buildings within the settlement limit. The appeal was upheld, despite being contrary to policy.

Similar to this application, the appeal site was located in proximity to the settlement development limit and relied on adjacent property within the settlement to make up the line of 3 or more buildings. Despite not being policy compliant the appeal was upheld as infilling the gap was considered not be detrimental to rural character. We appreciate each application is assessed on its own merits but the deviation from policy in a similar manner has been considered acceptable elsewhere in Dunloy and in the interest of fairness we request that it be applied in this case.

In relation to making the distinction between the settlement and the countryside, there is road frontage development on either side of Station Road to the northeast of the site at No 44 and opposite at No 43. Given the position of these buildings and their closeness to Station Road it is considered that they signify the approach to the settlement as opposed to the 30mph sign and change in road surface midway along this application site's frontage. On this basis it is considered that development will not mar the setting of the settlement on this approach to Dunloy.

Residential amenity has been raised due to proximity to the NI Water treatment works 80m away from the proposed rear boundary of the site. Although NIW have referenced this as a potential issue the Council's Environmental Health Department has not raised any concerns regarding amenity. The housing development adjacent to the southwest is located a similar distance from the works. Approval was granted without any issues having to be addressed by NI Water or Environmental Health.

The Chair invited questions from Elected Members for the speaker.

At the request of Councillor McGurk the Senior Planning Officer showed slides showing the similarities between this application and the Tullaghans Road application referred to by the M Smyth which he said had similar context and said that the difference was that the frontage did not read as an agricultural field but more like a garden and referred to policy CTY8.

At the request of the Chair the Senior Planning Officer reshown powerpoint slides to demonstrate the frontage being considered.

The Chair requested a Recorded Vote

Proposed by Councillor McGurk  
Seconded by Councillor McQuillan

- That the Committee 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:-

Planning Appeals Commission case proven by agent;  
Tullaghans Road application does provide a precedent;  
There are three buildings  
Size of gap size is a significant factor;  
Figures are skewed by smallest of the dwellings ie no 36  
This is a one off dwelling;  
Responsible pattern of development;  
Precedent already set as there are other buildings the same distance away.  
Environmental Health did not raise any concern regarding odour;  
CTY8 in the main met

The Chair put the motion to the Committee to vote.

9 Members voted For; 3 Members voted Against, 1 Members Abstained.

The Chair declared the motion carried and application

**RESOLVED** - That the Committee 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:-

Planning Appeals Commission case proven by agent;  
Tullaghans Road application does provide a precedent;  
There are three buildings;  
Size of gap size is a significant factor;  
Figures are skewed by smallest of the dwellings ie no 36  
This is a one off dwelling;  
Responsible pattern of development;  
Precedent already set as there are other buildings the same distance away.  
Environmental Health did not raise any concern regarding odour;  
CTY8 in the main met

Recorded Vote Table

For <b>(9)</b>	Alderman McKillop, Councillor Anderson, Archibald, Kennedy, McGurk, McMullan, McQuillan, Storey, Watton
Against <b>(3)</b>	Alderman Coyle, Hunter, Councillor Kane
Abstain <b>(1)</b>	Alderman Boyle

**RESOLVED** – That Conditions and Informatives are delegated to Officers.

At the request of the Chair it was confirmed by Councillor McQuillan that Councillor McGurk had added to the proposal:-

Consideration of an odour assessment to form part of the approval process.

**5.11 LA01/2024/1119/O (Referral) Land between No. 44 and 44a Ballybrakes Road, Ballymoney**

Report, presentation and speaking rights were previously circulated and presented by Senior Planning Officer, M McErlain

**Referral Application to be determined by Planning Committee**

**App No:** LA01/2024/1119/O

**App Type:** Outline

**Proposal:** Site for Two Storey Infill Dwelling

## **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:

- LA01/2024/1119/O is an Outline application for the provision of a two storey infill dwelling at Land between No.44 & 44a Ballybrakes Road, Ballymoney;
- 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 NAP2016 - The site is not located within any environmental designations.
- One objection has been received in relation to this application
- The application consists of a square shaped plot set back off the Ballybrakes Rd by approximately 40m and is accessed via an existing lane. The site comprises a mix of elements, including part of the rear amenity space of No. 44, agricultural lands, outbuilding and a parking area
- There is no previous planning history on the site. Planning history on the adjacent lands to the east 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.
- The application site is located to the rear (south) of No. 44 and its associated outbuildings and to the front (north) of No. 44a and its associated garage. Access to the site is via the existing laneway along the eastern boundary of No.44 and which also serves as access to No. 44a. The dwelling and associated outbuildings at No. 44 share a boundary with this laneway and have a frontage onto the laneway.
- No 44a and its associated garage are sited at the end of the laneway with the curtilage of the plot defined by a timber fence and entrance gates and pillars. The laneway terminates at the entrance to No. 44a. Consequently, as only No.44a's access abuts the laneway neither the dwelling or garage have frontage onto the laneway neither can be considered as part of a substantial and built-up frontage. This interpretation of policy is consistent with that of the Planning Appeals Commission as set out within planning appeals 2022/A0041 (Appendix 1, previously circulated) and 2024/A0103 (Appendix 2 previously circulated).
- Resultantly, given that there are no buildings south of the application site that have frontage to the laneway, there is no bookend to the application

site and therefore no gap site within a substantial and continuously built-up frontage.

- Additionally, as the application site is not considered to result in the development of a small gap site the proposal if developed, would add to and reinforce a linear built-up appearance to the private laneway resulting in the addition of ribbon development. The proposal is contrary to Paragraph 6.73 of the SPPS and Policy CTY8.
- A number of appeal decisions were highlighted to the Planning Department by the applicant/agent which were felt to be comparable to the application proposal. These decisions have been assessed within the Planning Committee Report and were found to be not directly comparable to the application proposal
- On approach to the site in both directions along Ballybrakes Rd the application site will be read with the existing buildings adjacent with distant vegetation and built form providing a degree of backdrop. Nos. 44 and 44a are two storey dwellings. It is considered that a modest sized two storey dwelling would not appear unduly prominent or conspicuous in the landscape and with additional landscaping, would satisfactorily integrate with its surroundings.
- In addition to adding to ribbon development along the laneway the proposal would, when read with the existing built form at Nos. 44 and 44a result in a further accumulation of development at this location, having an urbanising effect on the immediate location and resulting in a suburban style of build-up which is detrimental to rural character. The proposal fails Paragraph 6.70 of the SPPS and Policy CTY14.
- Concerns were raised within the objection letter in regard to road safety due to the increase in traffic volume and loss of existing parking and manoeuvring space within the application site, resulting in vehicles having to exit the laneway in reverse.
- DFI Roads were consulted in relation to this application and in relation to the road safety comments raised and offer no objections to the proposal. The proposal will not prejudice road safety and meets AMP 2 of PPS 3.
- Comment was made within the objection letter regarding the application site being classified as Greenbelt and that no further development would occur adjacent to the residence. It is noted that there are no greenbelt designations within the Northern Area Plan and that all planning applications are subject to the provisions of the Northern Area Plan 2016 and the relevant planning policies contained within the SPPS and other retained regional policy.
- The next couple of slides provide a few images of application site
- Consultation was carried out with NIEA, DFI Roads, Environmental Health, Northern Ireland Electricity and NI Water who raise no objection.

- In Conclusion the proposal is therefore contrary to Paragraphs 6.70 and 6.73 of the SPPS and Policies CTY8 and CTY14 of PPS21. in that there is no gap within a substantial and continuously built-up frontage at this location, the proposal would result in the addition to ribbon development along the private laneway and would result in suburban style build-up when read with existing built development.
- In addition, no overriding reasons have been forthcoming as to why the development is essential, therefore the proposal is contrary to CTY1.

The Chair invited questions from Elected Members for the Senior Planning Officer from Elected Members.

There were no questions put.

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

M Smyth stated this application is considered to comply with the requirements of Policy CTY 8. The gap site is located within a built up frontage that includes the dwelling at No 44 Ballybrakes Road, the two outbuildings located to the south of this dwelling and the dwelling and garage at No 44a further along the laneway.

Planners accept that No 44 and the adjacent outbuildings form part of the frontage however they dispute, given its relationship to the laneway, that No 44a and its garage do not form part of the frontage. Given the characteristics of this short stretch of lane and which terminates at No 44a and its garage it should be considered as providing the bookend to the southern side and therefore defining the gap.

Planners accept that infilling this small gap could accommodate a modest sized dwelling without it being unduly prominent or conspicuous in the landscape. They have not raised any issue due to plot size or plot width. The application therefore satisfies these elements of policy.

Given the characteristics of the laneway and the buildings it serves, a dwelling on this gap site will read with existing buildings and will not be visually prominent or protrude into the open countryside. This is also accepted by Planners.

We note the two PAC decisions included within the Committee Report and consider neither are fully comparable to this application. Both appeal sites and their context had other flaws that resulted in them not being compliant with the requirements of CTY 8 thereby resulting in their failure.

For the Crevolea Road appeal no bookend was provided as a large gap of over 70m remained between the application site and the buildings at the end of the lane. As application did not deal comprehensively with the full gap with a large gap remaining between the site and the required bookend building there was no built up frontage.

The Appeal site at Kirk Road only had 2 buildings and not the 3 required by policy to make up the laneway frontage, no matter what their relationship was with the laneway.

From our assessment these appeals failed to satisfy multiple tests from CTY 8. This application's only issue of contention is the opinion that No 44a and its garage does not form part of the substantial and continuously built up frontage and therefore provide the bookend for the gap. No 44a clearly does provide the bookend in this case.

We note previous PAC decisions for rural sites whereby if an application was considered to be in accordance with the general thrust and spirit and intent of the policy then the fact that a proposal did not fully comply with all requirements was not determining. For PAC Decision 2011/A0044 for a gap site outside Ballyronan the Commission noted that *"There is ambiguity in the policy between the definitions of ribbon development and substantial frontage and in such circumstances the interpretation of policy most favourable to the appellant should be applied"*.

We appreciate that each application is assessed on its own merits. However having regard to this stance by the PAC and given that the single issue of dispute is the relationship of number 44a and its garage to the laneway should not result in the application failing. This is especially so given that the application satisfies all other planning requirements and the characteristics of this short laneway which serves only a modest number of buildings and which terminates at No 44a with no scope for further expansion resulting in ribbon development or encroachment into the countryside.

Given the Planners opinion on No 44a, at the end of the laneway, PAC Decision 2013/A0214 is very relevant. Similar to this application for a gap site along a laneway. Defining the gap relied on a dwelling located at the end of the laneway and which looked down the lane rather than fronting it. The PAC determined that this building did indeed form part of the substantial and continuously built up frontage and defined the gap. The appeal was upheld.

The Chair invited questions from Elected Members for the Speaker.

At the request of Councillor Storey M Smyth clarified aspects of the 'bookend' reference and said that if CTY8 in respect of infill was satisfied proposal should be acceptable.

Councillor Storey pointed out that the site could have accommodated two builds but only one was applied for and referred to the Planning Appeals Commission ruling on the application referred to by M Smyth.

The Senior Planning Officer said that although policy can be offended mitigating action and outworkings of A, B or C could be factored in.

Referring to the thrust of the policy M Smyth said that he believed the application met other aspects of the policy.

The Senior Planning Officer confirmed that PPS21 is to allow sustainable development in the countryside and spoke of unnecessary and inappropriate developments; If CTY8 is not met the decision relies on compliance with CTY1 which is the case with this application.

M Smyth provided further clarity to the Planning Committee at this stage.

Proposed by Councillor Kane  
Seconded by Alderman Coyle

- That a site visit be arranged due to unfamiliarity with the proposed site.

The Chair put the motion to the Committee to vote.

12 Members voted For; 0 Members voted Against, 1 Members Abstained.  
The Chair declared the motion carried and application

- **RESOLVED** - That a site visit be arranged due to unfamiliarity with the proposed site.

#### **5.12 LA01/2024/1227/O (Referral) On lands c. 70m South of No. 119 Legavallon Road, Dungiven**

Report, presentation and speaking rights were previously circulated and presented by Senior Planning Officer, R McGrath.

#### **Referral Application to be determined by Planning Committee**

**App No:** LA01/2024/1227/O

**App Type:** Outline

**Proposal:** Proposed managers dwelling in connection with Hillfoot Caravan Park

### **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:-

- Outline planning application for a proposed managers dwelling in connection with Hillfoot Caravan Park.
- The application is located on lands south east of 119 Legavallon Road which is approximately 2km north of Dungiven.
- The application is for a managers dwelling in connection with Hillfoot Caravan Park. The business provides camping pitches for motorhomes, touring caravans and tents, along with associated facilities.
- The applicant is the daughter of the current business owner.
- (Slide) Policy CTY 7 states that planning permission will be granted for a dwelling house in connection with an established non-agricultural business enterprise where a site specific need can be clearly demonstrated that makes it essential for one of the firm's employees to live at the site of their work.
- Information submitted in support of the application indicates that, by its nature, managing the caravan park is a 24/7 business and that it is essential that the site manager is constantly available on site to: oversee people arriving and leaving; oversee the activities within the park, and check that the park rules are respected; being on hand to ensure everyone has any queries dealt with and has a pleasant stay; and to be on hand to deal with the minor issues that frequently arise, such as dealing with the electricity supplies or questions about using the facilities.
- Given the nature of the business and the seasonal pattern of operation, the application does not demonstrate a site specific need that makes it essential for one of the firm's employees to live at the site. There is no over-riding reason why a dwelling in a neighbouring settlement would not allow the manager to carry out all the requirements of the role. The applicant currently resides in Garvagh which is approximately 10 miles away, which is not an excessive distance away to carry out the duties required by the role.
- Many similar camping facilities including those owned by the Council, operate on an unmanned basis. Customers attending camping facilities

are used to this type of operation and would not expect a 24-hour service.

- Where it is widely demonstrated that such facilities can operate in an unmanned capacity it is not possible to clearly demonstrate a site-specific need that a dwelling for an employee is essential.
- Therefore the proposal is contrary to Paragraph 6.70 and 6.73 of the SPPS and policies CTY 1, CTY 7 of PPS 21.
- Refusal is recommended.

The Chair invited questions from Elected Members for the Senior Planning Officer.

In response to Councillor McGurk's query regarding determining what is essentially a subjective issue the Senior Planning Officer said there was no precedent set in this regard and no evidence that the applicant required to live at the site, saying many caravan parks are unmanned out of hours and out of season.

Referring to Planning Appeals Commission decisions in 2009 and 2025 the Senior Planning Officer referred to paragraph 5 of CTY7 where it stated that no provision for additional dwellings to facilitate retirement of a business proprietor with no overriding reasons and said this application was comparable.

The Senior Planning Officer said there was a building already in situ and referred to the situation as an operational business matter and gave further examples of applications which had been refused, saying that Council's caravan park did not have 24 hour on site management.

Councillor McGurk felt that the examples given were not comparable as one was a Nursing Home where there was 24 hour care provided by staff on site, one was an Engineering Business open only during business hours and the other was an allotment scheme, again not comparable.

Discussion ensued regarding the distance from the home of the applicant to the business.

Councillor McMullan spoke of the hardship encountered by those trying to acquire and afford a site to build a home.

The Chair invites L Ross, G Brown and M Scott to speak in support of the application.

L Ross stated that M Scott has had to retire due to declining health and his daughter wishes to continue to run the business which is open all year round. This is a long established tourism business. There have been no objections, accessibility issues or other concerns raised and application is compatible with CTY 7 requirements. There is a requirement for the proprietor to be available 24/7 for registration, maintenance, noise management, dealing with queries and M Scott, while living there is unable to undertake this role. This is a hands-on tourist activity which requires constant cover. Planners have indicated that there is a suitable building which could be used however this has been M Scott's lifelong home and he is not in a position to relocate at this time given his age and health. This is an application as part of an established business, there is no other possible or viable solution and the test has been met. There is a requirement for onsite management for arrivals and emergencies which M Scott is now unable to undertake.

The Chair invited questions from Elected Members for the speaker.

At the request of Councillor McGurk L Ross said that the proposal was modest, integrates fully, is essential for the business to continue and meets the specified business need in accordance with CTY7.

L Ross further said that the comparables provided by the Senior Planning Officer ie a Nursing Home an Engineering business and an allotment scheme were not comparable to this application.

G Brown stated that this is a busy campsite with returning guests and ad hoc customers and a key tourist destination. There is a requirement due to the longstanding arrangement in place for continuation of night time management to deal with issues which arise and ensure health and safety.

Councillor Storey referred to the interpretation of CTY7 and the sufficiency of information provided and L Ross said substantial information had been submitted.

Alderman McKillop referred to succession planning and supported the persuasive presentation put by the speaker in support of the application. At the request of Alderman Coyle J Brown gave detail of the commute time should the applicant not be living on site and spoke of the 12 month operational function of the caravan park stating there are Christmas visitors and reiterated the need for onsite management given her father's deteriorating health and reduced mobility.

At the request of the Chair J Brown said that the caravan park was established in 2008 prior to which the land was only a field and confirmed that in the event of the application not being approved the business would be unable to continue, saying this would be a sad eventuality.

Councillor McMullan spoke of the tourism awards received by family run caravan parks and how well they fit into the countryside and the desire not to be detrimental to these types of businesses.

**\*Alderman Boyle returned to the Chamber at 5.05 pm.**

Proposed by Alderman McKillop  
Seconded by Councillor Storey

- 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 outline planning permission for the following reasons:-

Buildings essential to the business;  
Meets paragraph 6.73 of SPPS and CTY1 and 7 of PPS21;  
Evidence is clear of essential requirement for supervision on site of this established model;  
Said business could not continue without the approval of the application;  
Dwelling currently on site is clearly M Browns own home where he has lived for many years;  
Important to stress the provision of sufficient information;  
In keeping with policy and amplification of CTY7;  
Has been demonstrated the site specific need which is key;  
Material consideration should be given to the health of the proprietor;  
Application does not adversely affect rural character;  
Business is a well established model.

The Chair said that it appeared it was essential for on site management on which this business had been dependent in terms of reliance on established relationships and repeat custom.

Councillor Storey said he wished to apologise on behalf of the Planning Committee given the realisation of Mr Scott's health issues that he had to be in attendance from 10.30am to 5pm.

The Chair put the motion to the Committee to vote.  
12 Members voted For; 0 Members voted Against, 1 Members Abstained.  
The Chair declared the motion carried and application

**RESOLVED** - That the Committee 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 outline planning permission for the following reasons:-

Buildings essential to the business;  
Meets paragraph 6.73 of SPPS and CTY1 and 7 of PPS21;  
Evidence is clear of essential requirement for supervision on site of this established model;  
Said business could not continue without the approval of the application;  
Dwelling currently on site is clearly M Browns own home where he has lived for many years;  
Important to stress the provision of sufficient information;  
In keeping with policy and amplification of CTY7;  
Has been demonstrated the site specific need which is key;  
Material consideration should be given to the health of the proprietor;  
Application does not adversely affect rural character;  
Business is a well established model.

**RESOLVED** – That Conditions and Informatives are delegated to Officers.

The Chair declared a recess at 5.15pm

The meeting resumed at 5.25pm

The Director of Corporate Services undertook a roll call.

### **5.13 LA01/2024/1111/O (Referral) 140m North East of 52 Ballyagan Road, Garvagh**

Report, presentation and speaking rights were previously circulated and presented by Senior Planning Officer, R McGrath.

#### **Referral Application to be determined by Planning Committee**

**App No:** LA01/2024/1119/O

**App Type:** Outline

**Proposal:** Site of Dwelling and Garage on a Farm

#### **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.

The Senior Planning Officer referred to a typo in the heading should have read 'Outline' and not 'Full' Planning.

Senior Planning Officer presented via PowerPoint presentation as follows:

- Outline planning permission is sought for new dwelling under CTY 10 of Planning Policy Statement 21 for a dwelling on a farm.
- If I can just advise members of a typing error in the title of the committee report on pg.1, where the suffix of the application is F, for a full application, just to clarify this is an outline application and the suffix should read O for outline.
- The application site is located at land 140m NE of no. 52 Ballyagan Road.
- CTY 10 of PPS 21 notes the planning permission will be granted for a dwelling house on a farm subject to three criteria:
  - The application meets the policy tests under criterion a and b, as the farm business is currently active and established for 6 years
  - No dwellings or development opportunities have been sold off from the farm holding within 10 years.
  - However, criterion C states that where practicable, access to the dwelling should be obtained from an existing lane.
  - The proposal seeks to create a new access for the dwelling onto Ballyagan Road, despite two accesses existing in proximity to the site and under full ownership of the applicant. Certificate C could be signed and notice served on neighbouring land owners to achieve visibility splays. It has not been demonstrated that this is not possible, the proposal therefore fails to meet criterion (c) of CTY10.
- (Slide) DFI Roads, Environmental Health, NI Water, DAERA and NIEA were consulted in relation to the application. No objections have been received from any of the consultees.
- No representations have been received.
- The application is recommended for refusal.

The Chair invited questions from Elected Members for the Senior Planning Officer.

At the request of Councillor Kennedy the Senior Planning Officer provided further clarity on the access via the existing laneway and the element of traffic passing through a working farm.

At the request of Councillor Anderson the Senior Planning Officer confirmed that the access required necessary upgrading, third party consent required and the viability of the application given this scenario.

At the request of Councillor Watton for clarity the Senior Planning Officer demonstrated via powerpoint the two laneways being discussed.

The Senior Planning Officer also spoke of the issue around a blind hill on approach.

At the request of Alderman Hunter the Senior Planning Office said that within the blue land some augmentation could be accepted.

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

J Simpson stated there had been no objections. This is a reserved matters application. There is no alternative and safe means of access. Active for last 6 years. The road bends back. Easement arrangement with neighbour not an option. Roads Service satisfied. New access parallel is best solution. Application would result in minimum removal of hedging with no reliance on new landscape. Traffic speeds are 30 mph at new access point. There are sustained networks. Application is compliant with CTY10, 13 and 14. There have been no objections from other statutory bodies or neighbours.

The Chair invited questions from Elected Members for the speaker.

Alderman Coyle proposed a site visit to better understand the layout of the laneway and see the brow of the hill and access arrangements.

Proposed by Councillor Kennedy  
Seconded by Alderman McKillop

-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 outline planning permission for the following reasons:

Site splay not up to standard;  
No objections;  
An upgrade to current layout is a favourable option;  
Not achievable with existing lane layout;  
Health and safety element of busy working farm;  
Moving machinery and lots of activity passing farm.  
Concerns regarding safety and road splays

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 the 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 outline planning permission for the following reasons:

Site splay not up to standard  
No objections  
An upgrade to current layout is a favourable option  
Not achievable with existing lane layout  
Health and safety element of busy working farm;  
Moving machinery and lots of activity passing farm.  
Concerns regarding safety and road splays

**RESOLVED** – That Conditions and Informatives are delegated to Officers.

## **6. CORRESPONDENCE**

The Chair presented Items 6.1 – 6.5 inclusive as read.

### **6.1 Donegal CDP Variation No1 - Council response**

Copy, previously circulated was presented as read.

Correspondence re: Re: Public Consultation on Proposed Variation to the County Donegal Development Plan 2024-2030 (Proposed Variation No. 1).

Planning Committee NOTED the correspondence.

### **6.2 NISRA - Census User Consultation Response**

Copy, previously circulated, presented as read.

Correspondence re: Northern Ireland Census User Needs Consultation Questionnaire

Planning Committee NOTED the correspondence.

### **6.3 DfI - Second Review of the Implementation of the Planning Act (NI) 2011**

Copy, previously circulated, presented as read.

Correspondence re: Second Review of the Implementation of the Planning Act (NI) 2011

The Development Plan Manager advised that she had requested an extension of time to enable consideration at the February Planning Committee.

Planning Committee NOTED the correspondence.

#### **6.4 Dfl – Renewable Energy Workshop – 11 March 2026**

Copy, previously circulated, presented as read.

Correspondence re: Save the Date – Renewable Energy Workshop, 11 March 2026

The Development Plan Manager requested two Elected Member nominations, by d'Hondt, to attend.

Planning Committee NOTED the correspondence.

#### **6.5 NILGA – Planning Learning & Engagement Nomination – Council response**

Copy, previously circulated, presented as read.

Correspondence re: Council Nominations for NILGA Planning Learning and Engagement

The Development Plan Manager confirmed that she had advised NILGA of the nominations namely Alderman Callan & Councillor McGurk.

Planning Committee NOTED the correspondence.

### **7. REPORTS FOR DECISION**

#### **7.1 DFI - Standing Advice 25-02-26**

Report, previously circulated, was presented by the Development Plan Manager.

##### **Purpose of Report**

This Report is to provide the Planning Committee with an update on the status of the Standing Advice from Dfl Roads regarding the circumstances where

consultation by the Council is not required on specific types of planning applications. Furthermore, it requests the Committee to agree to implement the updated Standing Advice from DfI Roads with immediate effect.

### **Background**

Planning legislation, specifically Article 13 of The Planning (General Development Procedure) Order (Northern Ireland) 2015 requires the Council to consult with DfI Roads in circumstances where the proposal involves the formation, laying out or alteration of an access or where there would be a material increase in the volume of traffic entering or leaving a road. In addition, the legislation requires consultation with DfI Roads in a range of other circumstances including where a proposal: would likely result in an increase in demand for car parking; would likely result in a loss or alteration to car parking; involves creation of a new street; is likely to prejudice the construction or improvement of a road; involves structures crossing roads including powerlines and; a reserved matters application where the outline planning permission includes roads conditions.

Exceptions to the requirement for consultation are provided by Article 13(b) of the same legislation. One of these is where the development is subject to any standing advice provided by the consultee to the Council in relation to categories of development.

The operation of standing advice provides benefits to both the Council and the consultee. Benefits to the Council include the speedier processing of planning applications by reducing the number of consultations issued and the time expended waiting on responses. Benefits to the consultee include a reduced consultation workload allowing speedier consultation responses on other consultations and allowing more time to consider complex consultations.

The Planning Committee agreed to implement Standing Advice from DfI Roads on 22 September 2021. The Standing Advice became operational from 01 November 2021 (see appendix, previously circulated). The Standing Advice sets out that consultation with DfI Roads is not required on the following types of applications:

1. Residential extensions.
2. Domestic sheds and garages.
3. Small commercial extensions.
4. Advertisements and signs (specific types only).
5. Boundary structures and gates (outside road boundary).
6. Change of house type.
7. Single replacement dwelling.
8. Single wind turbine upgrade.
9. Overhead powerlines.

In addition to the above, the Standing Advice set out that secondary (re-consultation) was not required with Dfl Roads where minor adjustment/ amendments to plans can be verified by the Planning Department.

The operation of the Dfl Roads Standing Advice has been successful by reducing the need for consultation. Over the period since implementation, the Standing Advice has been engaged for all categories of development listed in Paragraph 2.4.

At the meeting of the Planning Committee on 24 January 2024, it was resolved to implement updated Standing Advice from Dfl Roads. The update entailed an amendment to the scale of extensions permissible to: an industrial building/ warehouse; shop, financial and professional services establishments; office building and; schools, colleges, universities and hospitals. This was to align with the extent of extensions permissible as permitted development under The Planning (General Permitted Development) Order (Northern Ireland) 2015 i.e. circumstances where planning permission is not required and hence consultation with Dfl Roads is not required.

The Planning Department does not consider that amendments or additions are required to the types of applications/circumstances set out in the current Standing Advice. This position is accepted by Dfl Roads.

Article 13 of The Planning (General Development Procedure) Order (Northern Ireland) 2015 states that continued operation of Standing Advice, where issued more than two years previously, is dependent upon the advice having been amended or confirmed by the consultee. As the reviewed Standing Advice has now been operational for over two years, such amendment or confirmation is required by Dfl Roads if it is to remain operational.

Dfl Roads has confirmed it is content for the Standing Advice to continue without amendment, referring to Standing Advice (Version No.1.4) dated 07 December 2023 (see appendix, previously circulated).

### **Proposal**

To continue implementation of Standing Advice from Dfl Roads with immediate effect.

### **Recommendation**

**It is recommended** that the Committee agrees to continue implementation of the Standing Advice from Dfl Roads with immediate effect.

Councillor Storey asked the Development Plan Manager if she felt there was anything worth changing from a practical operational view and if it was currently sufficient.

The Development Plan Manager advised that permitted development had been incorporated in second version and said she was content with the document.

Proposed by Alderman Coyle  
Seconded by Councillor Storey

**RESOLVED** – That the Committee agrees to continue implementation of the Standing Advice from Dfl Roads with immediate effect.

## 7.2 TPO confirmation – Chapelfield, Coleraine

Report, previously circulated, was presented by the Development Plan Manager.

### **Purpose of Report**

To present the TPO confirmation, with modification, for Lands at and Adjacent to Chapelfield, 59 Laurel Hill Road, Coleraine.

### **Background**

Following a review of the existing TPO on the site, a Provisional TPO was served on site, documentation was posted to interested parties and adjoining neighbours, and copies of the Order were attached to protected trees in obvious locations within the site - on 19th December 2025..

No representations were received within the 28-day statutory period.

A total of 45no. trees and 5no. tree groups of trees were surveyed, of which 21no. trees and 2no. tree groups are considered worthy or suitable for TPO protection.

### **Recommendation:**

That the Committee note the content of this Report and agree to either:

### **Options**

**Option 1:** Resolve to confirm the TPO, with modifications, as detailed at paragraph 3.15 above.

**Option 2:** Resolve not to confirm the TPO.

Proposed by Alderman Boyle  
Seconded by Councillor Archibald and

**RESOLVED** – that the Committee Resolve to confirm the TPO, with modifications, as detailed.

### **7.3 TPO confirmation – Dungiven Castle**

Report, previously circulated, was presented by the Development Plan Manager.

#### **Purpose of Report**

To present the TPO Confirmation, with Modification, for Lands At and Adjacent to Dungiven Castle/Gaelcholaiste Dhoire and Lands At and Adjacent to 1-5 Chapel Road, Dungiven.

#### **Background**

Following a review of the existing TPO on the site, a Provisional TPO was served on site, documentation was posted to interested parties and adjoining neighbours, and copies of the Order were attached to protected trees in obvious locations within the site - on 18<sup>th</sup> December 2025.

One representation received - adjoining owner regarding the boundary between the site and the former livestock market. Not objecting to the Order itself, subject to an amendment to the red line to remove any protection of the leylandii trees which abut the livestock market in front of Dungiven Castle as they do not offer any amenity value and the TPO would prevent their removal or alteration without a long process of approval being required.

The TPO site contains significant trees, the majority of which are considered to be worthy and suitable for TPO protection. These trees have high public amenity value, being located in a prominent location along the Main Street in Dungiven, and being associated with Dungiven Castle, and contribute to the character of the wider area, as recognised by their inclusion in the LLPA designation.

Although the leylandii hedges (referred to in the representation) lie within the red line of site, they are managed as hedges, were not surveyed as part of the tree report, and will not form part of the TPO. Permission is therefore not required for their removal.

#### **Recommendation:**

That the Committee note the content of this Report and agree to either:

#### **Options**

**Option 1:** Resolve to confirm the TPO, with modifications, as detailed at paragraph 3.15 above.

**Option 2:** Resolve not to confirm the TPO.

Proposed by Alderman Boyle  
Seconded by Councillor Archibald and

**RESOLVED** – that the Committee Resolve to confirm the TPO, with modifications, as detailed.

#### **7.4 TPO confirmation – Gorteen House**

Report, previously circulated, was presented by the Development Plan Manager.

##### **Purpose of Report**

To present the TPO confirmation with modification for Lands adjoining former Gorteen House Site, Limavady.

##### **Background**

Following a review of the existing TPO on the site a Provisional TPO was served on site, documentation was posted to interested parties and adjoining neighbours, and copies of the Order were attached to protected trees in obvious locations within the site - on 23<sup>rd</sup> October 2025.

No representations were received within the 28-day statutory period.

A total of 119no. trees and 4no. tree groups were surveyed, of which 106no. trees and 2no. tree groups are considered worthy or suitable for TPO protection.

Planning approval exists and the associated development of the site is ongoing. The TPO takes account of this.

##### **Recommendation:**

That the Committee note the content of this Report and agree to either:

##### **Options**

**Option 1:** Resolve to confirm the TPO, with modifications, as detailed at paragraph 3.15 above.

**Option 2:** Resolve not to confirm the TPO.

Proposed by Alderman Boyle  
Seconded by Councillor Archibald and

**RESOLVED** – that the Committee Resolve to confirm the TPO, with modifications, as detailed.

## **7.5 TPO confirmation – Mountsandel Road**

Report, previously circulated, was presented by the Development Plan Manager.

### **Purpose of Report**

To present the TPO Confirmation, with Modification, for Lands at 85 Mountsandel Road, Coleraine.

### **Background**

Following a review of the existing TPO on the site, a Provisional TPO was served on site, documentation was posted to interested parties and adjoining neighbours, and copies of the Order were attached to protected trees in obvious locations within the site - on 14<sup>th</sup> January 2026.

No representations were received within the 28-day statutory period.

A total of 17no. trees and 3no tree groups were surveyed, of which 10no. individual trees (no tree groups) are considered worthy or suitable for TPO protection.

### **Recommendation:**

That the Committee note the content of this Report and agree to either:

#### **Options**

**Option 1:** Resolve to confirm the TPO, with modifications, as detailed at paragraph 3.15 above.

**Option 2:** Resolve not to confirm the TPO.

Proposed by Alderman Boyle

Seconded by Councillor Archibald and

**RESOLVED** – that the Committee Resolve to confirm the TPO, with modifications, as detailed.

## **8. REPORTS FOR NOTING**

### **8.1 LDP – Quarterly LDP Update**

Report, previously circulated was presented as read by the Chair.

## **Purpose of Report**

To provide an update on preparation of the Council's Local Development Plan (LDP).

## **Background**

Under the Planning Act (Northern Ireland) 2011 and the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 the Council has a statutory duty to prepare an LDP for its Borough, that will, when adopted, replace the current Northern Area Plan (NAP) 2016.

## **Studies to inform the LDP Preparation**

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.

## **Housing Study**

At the request of Members, Council engaged Ulster University (UU) to carry out independent housing research on the new dwelling requirements in the Borough. An LDP Steering Group (Planning Committee) Workshop was held on 17<sup>th</sup> November 2025 to discuss.

Subsequently, a Notice of Motion, requesting that the Council asks that the UU Housing Study Report be presented to a meeting of the Full Council, was supported at the 6<sup>th</sup> January 2026 Council Meeting. UU presented the Housing Study at a Deputation Workshop held on 3<sup>rd</sup> February 2026.

## **Retail & Leisure Capacity Study**

The Strategic Planning Policy Statement for NI (SPPS) sets out that councils must ensure that both LDPs and planning decisions are informed by robust and up to date evidence in relation to retail need and capacity in its area.

The Council engaged Nexus Planning to undertake Retail & Commercial Leisure Capacity Study for the Borough. The final Study and accompanying LDP Policy Briefing Note were agreed at the 28<sup>th</sup> January 2026 Planning Committee.

The Retail and Leisure Capacity Study was made available to view on the Council's website on 4<sup>th</sup> February 2026. The LDP Policy Briefing Note will inform the LDP Town Centre & Retail Planning Policies.

## **LDP Work Programme**

In line with the Council's current published Local Development Plan (LDP) Timetable, the 6-month indicative LDP Work Programme (Jan-Jun 2026) was presented for noting at the 28<sup>th</sup> January 2026 Planning Committee.

An LDP Member Workshop on the Draft Plan Strategy preparation is scheduled for 11<sup>th</sup> March 2026 at 4 pm.

### **Recommendation**

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

Planning Committee NOTED the report.

## **8.2 Finance Report Period 1 – 9 2025/26**

Report, previously circulated, was presented as read by the Chair.

### **Purpose**

This Report is to provide Members with an update on the financial position of the Planning Department for the Period 1-9 of 2025/26 business year.

### **Details**

Planning is showing a variance of over £278k favourable position at end of Period 9 based on draft Management Accounts.

The favourable position at the end of Period 9 is due to a favourable position in relation to income from planning application fee and property certificate income of around £213K.

This favourable position is supported by a favourable position of around £10k in salaries and wages and a favourable position in advertisement costs of around £10K, Programme Management Costs £15k, Development Plan £11k and Other Professional Costs £11k.

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 and notes the content of this report for the Period 1-9 of 2025/26 financial year.

Planning Committee NOTED the report.

## **9. Any Other Relevant Business (in accordance with Standing Order 12 (o))**

### **9.1 Meeting request with RTPI & RSUA**

The Chair said that through Murray Bell a meeting had been requested between RTPI & RSUA and the Planning Committee.

Proposed by Councillor Storey  
Seconded by Alderman McKillop and

**RESOLVED** – That a meeting be scheduled between RTPI & RSUA and the Planning Committee on Wednesday 22<sup>nd</sup> April 2026 at 9am.

**MOTION TO PROCEED ‘IN COMMITTEE’**

Proposed by Councillor Storey  
Seconded by Alderman Kennedy and

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

\* **Members of the Press and Public left the meeting at 6.10pm**

\* **Alderman Boyle left the meeting in the Chamber at 6.11pm**

**10. CONFIDENTIAL ITEMS**

**10.1. CC&G Housing Study**

Confidential report virtue of paragraph 6(b) of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014, previously circulated was presented by Development Plan Manager.

**Purpose of Report**

To present, for agreement, the Causeway Coast and Glens Housing Study.

At the request of Members, Council engaged Ulster University (UU) to carry out independent housing research on the new dwelling requirements in the Borough.

UU presented the Housing Study Report at an LDP Steering Group (which is the Planning Committee) Workshop was held on 17<sup>th</sup> November 2025.

Subsequently, a Notice of Motion, requesting that the Council asks UU to present the Housing Study Report to a meeting of the Full Council, was supported at the 6<sup>th</sup> January 2026 Council Meeting.

UU presented the Report at a Deputation Workshop held on 3<sup>rd</sup> February 2026.

Following on from this, a Member Workshop on progressing the Draft Plan Strategy preparation is scheduled for 11<sup>th</sup> March 2026.

### **Recommendation**

It is recommended that the Planning Committee accept the attached Housing Study to inform the preparation of the Local Development Plan.

At the request of Councillor Watton the Development Plan Manager said that the document remained not for publication pending the draft plan strategy being concluded.

At the request of Councillor McGurk regarding the Ulster University presentation and options pathways the Development Plan Manager said there was a range of scenarios included.

At the request of Councillor Storey the Development Plan Manager agreed to circulate workshop papers to Elected Members prior to the workshop. Councillor Storey said this was invaluable exercise to shape our Causeway Coast and Glens Development Plan to fit our needs. Councillor Storey said he would not welcome a Local Development Plan if it was not made by Causeway Coast and Glens Borough to reflect the needs of Council.

The Chair spoke of how invaluable this exercise was and now nicely it fits with the retail and leisure capacity study.

Proposed by Alderman McKillop  
Seconded by Councillor Kennedy

-That Planning Committee accept the attached Housing Study to inform the preparation of the Local Development Plan.

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

**RESOLVED** - That Planning Committee accept the attached Housing Study to inform the preparation of the Local Development Plan.

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

Proposed by Councillor Storey  
Seconded by Councillor Watton and

**AGREED** – That Planning Committee move '*In Public*'.

Councillor Watton referred to Councillor Storeys comments earlier in the meeting reflecting the period of time an elderly gentleman with health issues had to wait in order for his application to be heard.

The Director of Corporate Services said the Officers would explore adding an option on speaking rights to reflect these situations with the option on the day of the Planning meeting to propose reasonable adjustments if circumstances identified which require redress. Councillor Kane concurred and said there was a responsibility to identify these types of scenarios early on in the proceedings.

This being all the business the meeting closed at 6.25pm.

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Chair

Unconfirmed  
Redacted