

**PLANNING COMMITTEE MEETING HELD
WEDNESDAY 22 APRIL 2026**

Table of Key Adoptions

No.	Item	Summary of Decisions
1.	Apologies	<i>Alderman Callan, Hunter</i>
2.	Declarations of Interest	<i>Councillor Kane</i>
3.	Minutes of Previous Planning Committee Meetings	
3.1	Minutes of Planning Committee Meeting held Wednesday 25 March 2026	<i>Confirmed as a correct record</i>
4.	Order of Items and Confirmation of Registered Speakers	
4.1	LA01/2023/1085/F (Major) Craigahulliar Holiday Park 23 Ballymacrea Road, Portrush (including Land to South of existing holiday park)	<i>Deferred</i>
4.2	LA01/2022/0927/O (Referral) Approximately 25m South East of 219 Seacon Road, Ballymoney	<i>Deferred</i>
4.3	LA01/2022/0573/O (Referral) Lands 120m North of No. 55 Craigbrack Road, Eglington	<i>To be taken as Item 5.1</i>
5.	Schedule of applications	
5.1	LA01/2022/0573/O (Referral) Lands 120m North of No. 55 Craigbrack Road, Eglington	<i>Disagree and Approve</i>
5.2	LA01/2022/1209/F (Major) Land approximately 920m North West of 33 Craigmores Road, Coleraine	<i>Agree and Approve</i>
5.3	LA01/2025/0533/F (Major) Lands Extending Between the East of 10A – 16 Ballyleagry Road, to the North of 23 Ballyleagry Road and to the West of 112 – 122 Edenmore Road, Limavady	<i>Agree and Approve</i>

5.4	LA01/2026/0176/F (Council) Garvagh War Memorial Main Street, Garvagh	<i>Agree and Approve</i>
5.5	LA01/2024/0688/F (Objection) 8 Cedar Avenue, Ballycastle	<i>Agree and Approve</i>
5.6	LA01/2025/0631/F (Objection) Land between No.5 York Avenue and No.9 York Avenue, Portstewart	<i>Agree and Approve</i>
5.7	LA01/2024/1119/O (Objection) Land between No. 44 and 44a Ballybrakes Road, Ballymoney	<i>Disagree and Approve</i>
5.8	LA01/2023/0418/F (Referral) 70m SE of 23 Ballymacrea Road, Portrush	<i>Deferred</i>
5.10	LA01/2024/0702/O (Referral) 115m South East of 223 Garryduff Road, Dunloy	<i>Agree and Refuse</i>
5.11	LA01/2024/0703/O (Referral) 56m South East of 223 Garryduff Road, Dunloy	<i>Agree and Refuse</i>
6.	Correspondence	
6.1	DfI – Transforming Planning – Independent Inspectors Project	<i>Noted</i>
6.2	DAERA – Rural Policy – Public Consultation Launch	<i>Noted</i>
6.3	NIHE – Grant Support Funding Letter & Council's Response	<i>Noted</i>
7.	Reports for Decision	
7.1	TPO Confirmation – Land approx. 21m NW of 16 Millbrook Gardens, Kilrea	<i>That Planning Committee agree to Option 1: Resolve to confirm the TPO, with modifications, as detailed at paragraph 3.11 above.</i>
7.2	Protocol for the Efficient Processing of Planning Applications	<i>That the Committee considers the attached protocol for the Efficient Processing of Planning Applications and AGREES to the adoption and publication with the caveat that a review process is built into the protocol</i>
8.	Reports for Noting	
8.1	Finance Report Period 1 – 11 2025/26	<i>Noted</i>

8.2	Third Quarterly Report on Planning Performance 2025/26	<i>Noted</i>
9	Confidential Items	
9.1	Planning Fees	<i>Noted</i>
10.	Any Other Relevant Business (in accordance with Standing Order 12 (o))	<i>Nil</i>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING
COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS AND VIA
VIDEO CONFERENCE
ON WEDNESDAY 22 APRIL 2026 AT 10.30AM**

Chair: Councillor Kane (C) (Item 1 – 5.3, 5.5 – 10)
Alderman Coyle – Item 5.4 (C)

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

**Non-Committee
Members Present:** Councillor McCully (R)

Officers Present: M Quinn, Director of Corporate Services (C)
S Mathers, Development Management Manager (C)
J Lundy, Development Management (local applications)
Manager (C)
S Mulhern, Development Plan Manager (R)
R Beringer, Senior Planning Officer (C)
E Hudson, Senior Planning Officer (C)
M McErlain, Senior Planning Officer (C)
J McMath, Senior Planning Officer (R)
R Heaney, Planning Officer (R)
J McIntyre, Planning Officer (R)
S McKinley, Planning Officer (R)
E Wray, Planning Assistant (R)
L Hegarty, Planning Placement Student (R)
U Harper, Democratic Services Officer (C/R)
J Keen, Democratic Services Officer (R/C)

In Attendance: L Boyd, IT Technical Support Assistant (C/R)
C McTaggart, IT Technical Support Assistant (C/R)

Press 3 no. (R)
Public 30 no. including Speakers

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

Registered Speakers

Item No	Name
LA01/2025/0573/O	Lee Kennedy Laura Feeney McGarrigle
LA01/2022/1209/F	Hayley Wilson Caelan McNickle
LA01/2025/0533/F	Lauren Coulter Gavin Rolston Ciaran Devlin
LA01/2024/0688/F	Dee Doherty Brendan Donaghy Johann Muldoon Judith Wilson
LA01/2025/0631/F	Amanda Domzala Sean McLoughlin Alana Jackman John Jackman Ben Wilson
LA01/2024/1119/O	Mark Smyth
LA01/2023/0418/F	David Dalzell Colin Mayrs Lynne Mayrs David Alexander

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 and Alderman Hunter.

2. DECLARATIONS OF INTEREST

Declarations of interest were recorded for:

Councillor Kane in Item 5.4 LA01/2026/0176/F (Council) Garvagh War Memorial Main Street, Garvagh, as a member of the Memorial Advisory Group. Councillor Kane 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 25 March 2026

Copy, previously circulated.

Proposed by Councillor Watton

Seconded by Councillor C Archibald

– That the Minutes of the Planning Committee Meeting held Wednesday 25 March 2026 are signed as a correct record.

The Chair put the motion to the Committee to vote.

12 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 25 March 2026 are signed as a correct record.

4. ORDER OF ITEMS AND CONFIRMATION OF REGISTERED SPEAKERS

4.1 LA01/2023/1085/F (Major) Craigahulliar Holiday Park 23 Ballymacrea Road, Portrush (including Land to South of existing holiday park)

The Development Management Manager provided the following information:

- *Following publication of the Planning Committee Schedule for 22 April 2026, a further objection has been received on the proposal.*
- *The following matters are raised:*
 - *Lack of neighbour notification of the proposal.*
 - *Inadequate advertisement of the proposal.*
 - *Increased traffic along Ballymacrea Road which is not currently equipped to safely handle a substantial rise in traffic numbers.*
 - *Temporary foul cesspool raises serious concerns regarding potential odour and environmental impact.*

COMMENTARY

- *The additional objector property is No. 34 Ballymacrea Road. This address does not satisfy the neighbour notification requirements as it is not located on land which directly adjoins the application site as outlined in red on the Site Location Plan. This property was identified within the PAN as to be notified of the Pre-application Community Consultation event. The application was advertised in the Coleraine Chronicle on 01 November 2023 and 19 June 2024 and is listed on the Council's website. Accordingly, there has been adequate public advertisement of the proposal.*

- *Concerns in relation to traffic along Ballymacrea Road highlight that appropriate traffic management measures must be implemented and could include traffic calming measures, reduced speed limits or the installation of traffic lights to ensure safety of both residents and visitors.*
- *Traffic management measures were included under application C/2013/0097/F relating to the creation of the holiday park. These measures related to the creation of four passing bays along Ballymacrea Road and improvement of Ballymacrea Road/Ballybogy Road/Ballymagarry Road junction. Conditions 17, 18 and 19 of C/2013/0097/F related to the implementation of these works. DfI Roads has been consulted on this proposal and is content.*
- *The temporary foul cesspool solution has been raised by the objector. Specific issues identified are potential odour and environmental impact. Further information on the foul cesspool has been submitted from the Agent. This information requires consideration by the Environmental Health Department. In addition, the objector should be afforded the opportunity to consider this information and provide comment (if any). To enable this process, the application should be deferred and returned to a subsequent meeting of the Planning Committee.*
- **Recommendation**
That the Committee note the contents of this Addendum and resolve to defer the application to allow further consideration of the further information relating to the cesspool and objector concerns. This recommendation supersedes that at Paragraph 1.1 of the Planning Committee Report.

Proposed by Alderman Scott

Seconded by Councillor Kennedy

- That the Planning Committee note the contents of this Addendum and resolve to defer the application to allow further consideration of the further information relating to the cesspool and objector concerns.

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried.

RESOLVED - That the Planning Committee note the contents of this Addendum and resolve to defer the application to allow further consideration of the further information relating to the cesspool and objector concerns.

4.2 LA01/2022/0927/O (Referral) Approximately 25m South East of 219 Seacon Road, Ballymoney

The Development Management (local applications) Manager provided the following information:

- **Update**

Following receipt of an amended plan on Monday afternoon a consultation has been sent to DfI Roads and an office meeting has been arranged for Tuesday 28th April to discuss the amendments.

- **Recommendation**

That the Committee note the contents of this Addendum and agree with the recommendation to defer the application to allow for an office meeting to discuss the amended application.

Proposed by Alderman Scott

Seconded by Councillor Anderson

- That the Planning Committee note the contents of this Addendum and agree with the recommendation to defer the application to allow for an office meeting to discuss the amended application.

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried.

RESOLVED - That the Planning Committee note the contents of this Addendum and agree with the recommendation to defer the application to allow for an office meeting to discuss the amended application.

4.3 LA01/2022/0573/O (Referral) Lands 120m North of No. 55 Craigbrack Road, Eglington

The Chair advised that there had been a request for this Item to be heard first due to personal circumstances, as the applicant has a young baby with her in the Chamber.

Proposed by Alderman Boyle

Seconded by Councillor Watton

- That the Planning Committee amend the Order of Items to allow the following application to be heard first: LA01/2022/0573/O (Referral) Lands 120m North of No. 55 Craigbrack Road, Eglington.

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.

RESOLVED - That the Planning Committee amend the Order of Items to allow the following application to be heard first: LA01/2022/0573/O (Referral) Lands 120m North of No. 55 Craigbrack Road, Eglington.

5. SCHEDULE OF APPLICATIONS

5.1 LA01/2022/0573/O (Referral) Lands 120m North of No. 55 Craigbrack Road, Eglington

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

Referral Application to be determined by Planning Committee

App No: LA01/2022/0573/O

App Type: Outline

Proposal: Outline planning application for a farm dwelling

Recommendation

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

Senior Planning Officer presented via PowerPoint presentation as follows:

- *LA01/2025/0573/O is an Outline Planning Application for a Farm Dwelling at Lands 120m North of No. 55 Craigbrack Road, Eglington*
- *This is a local application and is presented to the Planning Committee as a referred item following a recommendation to refuse planning permission.*
- *No objections have been received in relation to this application.*
- *The application site is located outside of any settlement development limits as identified in The Northern Area Plan (NAP) 2016 and is not subject to any specific environmental designations.*
- *The application site extends to approximately 0.4Ha and comprises the south-eastern corner of a roadside agricultural field. The eastern roadside boundary is defined by an approx. 1.2m hedgerow and post and wire fencing, while the southern boundary comprises established mature trees approx. 4m in height. The northern and western boundaries are undefined and open to the surrounding agricultural land. This section of Craigbrack Road rises sharply when approaching from the north, with the rise beginning to level off at the application site, which only rises slightly towards the south across the site.*

- *As this application has been submitted as a dwelling on a farm it falls to be determined under CTY1 and 10 of PPS21. CTY10 allows for a dwelling on a farm where the farm business is currently active and has been established for at least 6 years.*
- *The key test is whether the farm business is active and established for the requisite period, not whether a person has been involved in agricultural activity over that period.*
- *The applicant's Farm Business ID was allocated on 24th April 2021, as confirmed by the agent and in consultation with DAERA, while the applicant's Herd and Flock Number were subsequently allocated in November 2021. In addition to details of animal movements the applicant provided a number of invoices relating to items such as animal feed, medicines and other miscellaneous items.*
- *While many of the invoices refer to agricultural activity, they also pre-date the establishment of the applicant's farm business (April 2021) and merely demonstrate agricultural activity carried out under a separate agricultural business. This was clarified within the agent's planning statement which confirms that prior to the applicant's Farm Business ID being allocated, they worked in conjunction with their father and relied on her father's farm at Highmoor Road for the management of livestock.*
- *While the farm business is currently active, it is evident that it has not been established and operated independently for at least 6 years. Any activities of the applicant prior to their farm business ID allocation were in conjunction with another farm business and contributed to the activities and function of that business not the applicant's farm business. The proposal fails Paragraph 6.73 of the SPPS and criterion (a) of CTY10. This assessment is supported by PAC Decision 2025/A0057 (Appendix 1 of committee report).*
- *The applicant's farm maps contain lands within Causeway Coast and Glens Borough Council, Derry City and Strabane District Council and Fermanagh and Omagh District Council areas. A check of all planning histories confirmed no development opportunities being sold off in the last 10 years, and this has also been confirmed by the relevant councils. The proposal meets the requirements of criterion (b) of CTY10.*
- *Paragraph 6.73 of the SPPS states that the proposed dwelling must be visually linked or sited to cluster with an established group of buildings on the farm holding.*
- *The application site and wider field is the only parcel of land that the applicant owns, with the rest of the farming operations carried out on land taken in conacre.*
- *There are no farm buildings on the lands owned by the applicant, nor are any of the surrounding buildings connected to the farm holding.*

- *As the proposal is not sited to cluster or visually link with an established group of buildings on the farm the proposal fails to meet with Paragraph 6.73 of the SPPS and criteria c of CTY 10.*
- *The agent has requested that as the proposal fails to comply with Policy CTY10 that the application be assessed exceptionally under CTY1, highlighting the overly strict requirements of Policy CTY10 and hindering young farmers from establishing homes in the rural area.*
- *Policy CTY1 sets out the types of development considered acceptable in the countryside including dwellings on farm under CTY 10. The criteria set out within CTY 10 exist to provide for a dwelling for an active and established business, with the 6 year requirement in place to ensure that farm businesses are established and viable businesses, and not speculative or short-term ventures, with an aim to assist in obtaining planning permission.*
- *While the Planning Department in no way suggests that the applicant's farm business is speculative, while active, the proposal fails to meet with two out of the three essential criteria for a dwelling on a farm and failure to be able to comply with the necessary policy requirements is not grounds to set aside the relevant policy and consider the proposal as an exceptional case.*
- *As the lands at the application site account for a small portion of the farm holding and given the absence of farm buildings/handling facilities (approx. 1.63Ha out of the applicant's total 55.96Ha farm holding), it cannot be concluded that there is a site-specific need for a dwelling at this location, as all other farmlands are a distance from this site and would account for the majority of the agricultural activity.*
- *It has not been demonstrated that the current operational functions of the farm cannot be maintained or that there would be any detriment to the running of the farm business if a dwelling on the site were to be refused.*
- *As no further overriding reasons have been presented as to why the proposal is necessary at this particular site, and therefore the proposal fails to comply with Paragraph 6.73 of the SPPS and Policy CTY1 of PPS21.*
- *The application site is proposed in a roadside location. The land on which the site is located is on elevated land, rising towards the site from the north. The application site is currently only defined on two boundaries, the southern rear boundary and the eastern roadside boundary.*
- *The site location plan indicates that approx. 110m of existing roadside hedgerow requires removal in order to achieve the visibility splays. Which will significantly open views of the application site on approach from the north.*
- *Given the removal of the roadside hedgerow and lack of established boundaries to the north and western boundaries the application site is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.*
- *Given the degree of new landscaping required to establish the application site boundaries, the application proposal would be primarily reliant upon new*

landscaping for integration which would take a considerable time to become suitably established to provide a satisfactory degree of enclosure.

- *Notwithstanding, the proposal is not visually linked with to sited close to an established group of buildings on the farm. The proposal fails criteria (b), (c) and (g) of CTY13.*
- *These slides show the roadside hedgerow along the roadside boundary of the site which would be required to be removed in order to provide the necessary visibility splays, and highlights how open and exposed a dwelling on the site would be, failing to integrate within the landscape.*
- *This slide shows the south eastern portion of the application site outlining the roadside hedgerow to be removed and the mature vegetation to the rear/southern boundary. This is the only significant screening afforded to the site.*
- *View towards the site on approach from the south with the site located on the far side of the hedge/trees on the left-hand side of the road as you look at the screen. This vegetation would provide screening to the site and would allow a very modest single storey dwelling to be screened from this approach.*
- *In addition to DARD Consultation was also carried out with DFI Roads and Environmental Health who have raised no concerns.*
- *In Conclusion the proposal is contrary to Paragraphs 6.70 and 6.73 of the SPPS and Policies CTY1, CTY10 and CTY13 of PPS21.*
- *Refusal is recommended.*

Alderman Scott requested information on what is included in the policy in relation to young farmers who are starting off and who would not have clusters of buildings established.

Senior Planning Officer, M McErlain stated that the policy does not differentiate between young and old farmers; it looks at whether there is an established farm. He stated that standard practice is to establish farm buildings and then establish a dwelling at the farm base.

In response to a question from Councillor McMullan regarding CTY1, Senior Planning Officer, M McErlain stated that the policy allows for a range of dwellings in the countryside and states that exceptionally, other types of development may be considered. He stated that the application was submitted as a farm dwelling and the fact that it does not comply is not grounds for referring to CTY1. He stated that in another year, the applicant's business would meet the criteria as being established for six years.

In response to a question from Councillor McMullan regarding screening, Senior Planning Officer, M McErlain stated that the existing vegetation would allow for a very modest single storey dwelling to be screened from one approach.

In response to a question from Councillor McMullan regarding the provision for expansion of the farm, Senior Planning Officer, M McErlain stated that the application refers to a small parcel of land relative to the overall holding. Councillor McMullan queried whether there are any health and safety issues. Senior Planning Officer, M McErlain advised that there is no argument regarding a health and safety risk.

Alderman Boyle requested clarification regarding enclosure and vegetation and the possibility for a single storey dwelling to be screened. Senior Planning Officer, M McErlain stated that gorse hedgerows would have to be ripped out to achieve the required visibility splays. He stated that the vegetation to the rear would avoid an overly prominent appearance and would help to screen views from one approach.

There being no further questions to the Officer, the Chair invited Lee Kennedy and Laura Feeney McGarrigle to address the Committee.

L Kennedy stated:

- The first refusal reason - that there is no overriding need, does not reflect the reality of this case.
- The applicant is a young, full-time farmer with a young family, who has farmed her own business since 2018 and is now seeking to establish her own independent farm base for her family.
- The applicant is currently living outside Strabane and travels over 30 miles, maybe twice daily, between her home and the land she farms, which is incompatible with farming life.
- The need for a dwelling on this holding arises directly from the large-scale operations of the farm.
- Policy CTY1 should be applied positively.
- The second refusal reason - that criteria A of Policy CTY10 requires a farm business to be active and established for six years, relies on the Business ID having been issued in 2021. However, the policy does not say that a business must be registered for six years.
- Substantial independent evidence has been submitted demonstrating continuous farming activity of the lands since 2018, including farm invoices, veterinary records and livestock purchases.
- There is a clear and continuous paper trail of farming activity well beyond six years as required.
- The Farm Business ID is simply the point of formal registration—not the start of the business as set under Paragraph 5.38.
- The absence of buildings reflects a developing farm.

- If policy only supports farms that already have buildings, it goes against the aims and objectives of PPS 21.
- In respect of Refusal Reason 3 – CTY13 Integration, the report states there is an existing backdrop of mature trees. Additional landscaping can be secured by condition.

The Chair stated that a key issue is how long the farm business has been established and asked for detail on what evidence had been submitted.

L Kennedy stated that a booklet of evidence had been submitted, dating from 2018, with approximately 60 invoices in which Ms Feeney McGarrigle is named. He stated that she had used facilities at the home farm but that she has had an established business since 2018.

The Chair asked whether the evidence included invoices, vet records, cattle and sheep movement records, mart payments and bank account information and Ms Feeney McGarrigle confirmed that these were all provided.

L Feeney McGarrigle stated that she has approximately 100 sheep and 20 cattle and that she wishes to establish a dwelling for herself and her family. In response to a question from Councillor McMullan, L Feeney McGarrigle stated that she purchased the ground in 2014 as she is renting a lot of land down the road, so it made sense to buy nearby. She stated that she plans to develop farm buildings on the site in future but wants to establish a dwelling first so that she will be able to check on her animals.

Councillor Anderson requested information on how the applicant plans to integrate the dwelling. L Kennedy referred to the established vegetation already on site that will remain there. He further advised that the hedge to be removed will be replanted behind the visibility splay to secure reintegration in the future.

In response to a query from Alderman Coyle, L Feeney McGarrigle stated that the land was purchased via private sale. In response to Alderman Coyle's query regarding the receipts provided as evidence of her business, L Feeney McGarrigle stated that the payments were in her name and were for such purposes as to purchase meal and vet bills for treatment for her animals, for example. She stated that she used her father's account for his farm number. She stated that her animals were kept on rented land or in her father's facilities.

Alderman Coyle queried whether farm ID is a requirement for an established business. Senior Planning Officer, M McErlain advised that CTY10 paragraph 5.38 states that the applicant will be required to provide a business ID. He stated that the business operating independently over a period of six years is a key test. He stated that there is no dispute that the applicant has been involved in agricultural

activity over a longer period but it is not clear that this was as an independent business.

In response to a query from Alderman Boyle, Senior Planning Officer, M McErlain stated that criteria C of CTY13 relates to primary landscaping and states that the dwelling must be beside the farm building, but he advised that there are no buildings on this holding.

In response to a query from Councillor Watton regarding how strict the criteria is regarding how long the business must be independently operating, Senior Planning Officer, M McErlain stated that the policy test is six years. He stated that evidence must be provided that the business has operated independently and that it is not just the business ID that is required, but the business ID is needed.

Councillor Watton referred to PPS 21 which relates to sustaining rural communities. He stated that it is obvious that this is a farming business and that the aim of PPS21 is to support rural businesses.

Councillor McMullan stated that he is not aware of any legislative requirement that a business must be in receipt of the single-farm payment in order for it to be regarded as an established business. He stated that there are farmers who do not claim the single-farm payment but who have long-established businesses.

Senior Planning Officer, M McErlain stated that the single-farm payment is only one part of establishing whether a business is independently established. He stated that a farmer can have an established business without being in receipt of the single-farm payment but they must be able to prove it. Councillor McMullan stated that it could be demonstrated through invoices. Senior Planning Officer, M McErlain stated that there is no dispute of the applicant's agricultural activity, but there needs to be evidence of an established business for the six-year period. Councillor McMullan stated that he believed that the applicant had proven that she has been an active farmer with an established business for more than six years through the evidence of her invoices over the years.

In respect of integration, Councillor McMullan stated that the established trees are a slow-growing species so integration would take a long time. He queried whether there are any rules regarding what size or species of trees is required. He noted that there are already mature trees on one side of the site.

In response to questions from Alderman Scott regarding the evidence provided, Senior Planning Officer, M McErlain stated that a large number of receipts were provided in the applicant's name dating from 2018 to 2021 for items such as animal feed and farm supplies, for example. He stated that from 2021 there were animal movement records for the applicant's own business.

Alderman Scott requested information on the location of the vet used, reasoning that if the records relate to the father's farm in Strabane, it is likely the vet would have been located in Strabane. L Kennedy stated that all receipts and vet records are in the applicant's name and that the vet is registered in Limavady, thereby demonstrating substantial farming activity by the applicant.

Councillor McMullan queried whether there is any guidance on when farm buildings become a legal part of a farm and whether it is possible to have a dwelling on a farm before sheds are installed. He noted that there are plenty of farms with no buildings at all.

Senior Planning Officer, M McErlain advised that planning policy states that there must be existing buildings on a farm for a dwelling to be established. Senior Planning Officer, M McErlain stated that applicants tend to establish the farm buildings first and then establish a dwelling to support the operation of the farm.

Councillor McMullan stated that the applicant is trying to get established on the farm and that there is nothing to say that if you are trying to establish an active farm, you need to put the sheds up first. He stated that the policy is not hard and fast on that issue. He noted that the applicant is travelling 30 miles daily.

Senior Planning Officer, M McErlain stated that the policy has a requirement to site a dwelling beside the farm buildings. Senior Planning Officer, M McErlain stated that there is some confusion about the applicant's address as it is listed on the application as Limavady, which is not a significant distance from the application site.

Councillor Anderson stated that the CTY10 requirement is that a farm is established for six years. He noted that farm ID was obtained in 2021 and that receipts in the applicant's name prior to that date have been provided. He suggested that the simplest way to define a business is through tax returns. The Chair confirmed with the applicant that tax returns have been provided as part of the supporting evidence.

Alderman Boyle queried what length of visibility splay is needed. Senior Planning Officer, M McErlain stated that 110m of hedgerow will need to be removed, which would represent the vast majority of the roadside. Alderman Boyle stated that this is to be replanted. Senior Planning Officer, M McErlain stated that the applicant would have to replant the roadside boundaries and two other boundaries would require planting. He stated that the guidance is to plant native species, which are primarily slow growing, and that the guidance also states that the dwelling should integrate now, not eventually.

The Chair stated that the key issues are as follows: whether the business has been established independently over six years; integration; and whether there is sufficient need for the dwelling at the site as there are no buildings there.

Alderman Boyle stated that the application should be considered in the context of the pressures that exist on female farmers. She proposed that the application be deferred to allow Members to review the booklet of evidence provided by the applicant.

Councillor Watton stated that this young farmer has clearly demonstrated that she has an established farming business. He stated that the application complies with PPS21, CTY10, and CTY13 section C. He stated that the applicant has only recently purchased the land and is trying to get established at the site. He proposed that planning approval be granted.

Councillor Nicholl seconded Councillor Watton's proposal.

The Chair noted that the proposal does not accept the Planning Officer's recommendation.

Alderman Boyle stated that, in respect of enclosure, there is some vegetation already established there, the hedge that is to be removed for visibility splay is to be replanted, and further planting is to be undertaken. The Chair asked that the additional planting be included as a condition of planning approval.

Councillor Watton agreed with the points raised.

The Chair stated that, in his opinion, it has been shown that a consistent farm business has been operating for over six years, albeit without business ID for the full six-year period, as evidenced by the invoices, transactions, and vet visits. He stated that it is clear that the applicant is establishing a new farmyard and prioritising housing their family as they have an infant.

Councillor Nicholl noted that there have been no objections from the statutory bodies that were consulted. In respect of integration, he stated that there is an existing backdrop of vegetation and a modest dwelling can be provided.

Proposed by Councillor Watton

Seconded by Councillor Nicholl

- 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:-

- The applicant has clearly demonstrated that she has been operating an established farming business for over six years, albeit without business ID for

the full six-year period, as evidenced by the invoices, transactions, and vet visits.

- The application complies with PPS21, CTY10, and CTY13 criteria C.
- The applicant has only recently purchased the land and is trying to get established with a new farmyard and is prioritising housing their family as they have an infant.
- In respect of enclosure, there is some vegetation already established, the hedge that is to be removed for visibility splay is to be replanted, and a condition of planning approval should be that further planting is undertaken.
- There have been no objections from the statutory bodies that were consulted.

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried and application approved.

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:

- The applicant has clearly demonstrated that she has been operating an established farming business for over six years, albeit without business ID for the full six-year period, as evidenced by the invoices, transactions, and vet visits.
- The application complies with PPS21, CTY10, and CTY13 section C.
- The applicant has only recently purchased the land and is trying to get established with a new farmyard and is prioritising housing their family as they have an infant.
- In respect of enclosure, there is some vegetation already established, the hedge that is to be removed for visibility splay is to be replanted, and a condition of planning approval should be that further planting is undertaken.
- There have been no objections from the statutory bodies that were consulted.

RESOLVED – That Conditions and Informatives are delegated to Officers.

The Chair declared a recess at 11:58am

The meeting resumed at 12:10pm.

The Director of Corporate Services undertook a roll call.

5.2 LA01/2022/1209/F (Major) Land approximately 920m North West of 33 Craigmore Road, Coleraine

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

Major Application to be determined by Planning Committee

App No: LA01/2022/1209/F

App Type: Full

Proposal: Proposed amendment to the consented Cam Burn Wind Farm (C/2011/0459/F) to include 1) a reduction from 6no. turbines to 4no. turbines 2) an increase in the maximum turbine tip height up to 150m 3) an increase in height of meteorological mast up 100m. No other amendments are proposed.

Recommendation

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

The Development Management Manager presented via PowerPoint as follows:

- *Cam Burn Wind Farm LA01/2022/1209/F*
- *This proposal comprises 4 wind turbines, each with a tip height of 150m producing up to a total of 17.04 MW. The proposal is an amendment to a 6 turbine scheme approved in 2016.*
- *The site is located in the open countryside approximately 6km to the northwest of Garvagh. The Northern Area Plan 2016 is silent on the matter of wind farm development. Therefore, regional policies apply.*
- *As this is a major planning application, it was preceded by a PAN accompanied by a community consultation report together with a Design and Access Statement.*
- *As this proposal is EIA development, it was accompanied by an Environmental Statement.*

MAIN ISSUES

- *Planning History- As referred to, a 6 turbine windfarm scheme was approved in 2016. The turbines in the approved scheme were smaller with a tip height of 120.5m and a lesser blade diameter of 71m (relative to the 117m proposed in this scheme). A start was made on the approved scheme. Subsequently, a proposed certificate of lawful use or development (CLUD) application was approved in 2022 for its proposed completion. This presents a fallback position.*
- *Public Safety/ Human Health & Residential Amenity- The fall over distance from public roads is met. There are no dwellings within the minimum 500m separation distance. In terms of noise, Environmental Health is content with the effect of the proposal on all properties. Given the separation distance, the maximum potential for shadow flicker at any dwelling is likely to be within guidance limits.*

- *Visual Amenity/ Landscape Character- The proposal is located not on a hill but in an undulating rural landscape. The application was accompanied by a professional Landscape and Visual Impact Assessment (LVIA) prepared by Shanti McAllister Landscape, Planning and Design. This, using the LVIA on the consented scheme, concludes that the scheme would not alter any of the landscape visual effects which formed the basis for the original scheme being consented. On balance, it concludes, the proposal will not result in an unacceptable or adverse impact on the visual amenity and landscape character of the area. NIEA Countryside, Coast and Landscape Team resolve the proposal will not have a significant effect on the landscape or visual amenity of AONBs beyond the application site. On the acceptability of the proposal in terms of visual amenity/ landscape character, determining weight is given to the conclusions of the professional LVIA and the position of NIEA Protected Landscapes Team.*
- *Natural Heritage- Consideration has been given to a range of issues such as the presence of bats, birds and impacts on the water environment. Through the submission of various reports, consultation with the relevant authorities and the use of specific conditions the proposal is considered acceptable in this respect.*
- *Other Issues- No unacceptable issues are arising regarding archaeology, water quality, peat slide, telecommunications or aviation safety.*
- *Economic, Environmental and Social Benefits- The proposal offers significant economic and environmental benefits. These include: substantial rates revenue and; through its 17.04MW electricity generation, a contribution towards meeting the 80% renewable energy by 2030 target set by the Climate Change (NI) Act 2022. Significant weight is given to these factors in this instance. SPPS Edition 2 sets out that planning authorities must help facilitate delivery of the necessary increase in appropriate renewable and low carbon energy developments so that the contribution of this sector to the transition to a net zero energy is optimised.*
- *Representations- The detail of representations are considered in the report.*
- *CONCLUSION: Having regard to the relevant issues, the proposal is acceptable. Therefore, approval is recommended.*

The Chair invited H Wilson and C McNickle to speak in support of the application. H Wilson stated:

- We welcome the approval.
- The proposal benefits from a lawful fallback position for 6 wind turbines.
- The applicant to reduce the scheme to 4 turbines and to increase the tip height due to the advances in technology.
- The proposal has been subject to comprehensive environmental assessment and is consistent with the relevant statement.
- The scheme brings environmental and economic benefits.

In response to questions from the Chair, H Wilson advised that the reduction in carbon emission per annum is 25,680 tonnes and C McNickle stated that the development will provide sufficient energy to power up to 19,446 homes per annum.

Proposed by Councillor Nicholl

Seconded by Councillor Kennedy

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

The Chair put the motion to the Committee to vote.

12 Members voted For; 0 Members voted Against, 0 Member Abstained.

The Chair declared the motion carried and application approved.

RESOLVED - That 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.

5.3 LA01/2025/0533/F (Major) Lands Extending Between The East Of 10A – 16 Ballyleagry Road, To The North Of 23 Ballyleagry Road And To The West Of 112 – 122 Edenmore Road, Limavady

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

Major Application to be determined by Planning Committee

App No: LA01/2025/0533/F

App Type: Full

Proposal: Proposed solar farm and associated infrastructure including ground mounted solar PV panels on support frames, inverters/transformer cabins, substation, fencing, CCTV cameras, temporary construction compound, access works, internal service track, landscaping and ancillary 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 subject to the conditions set out in section 10.

Development Management Manager presented via PowerPoint as follows:

- *Ballyleagry Road Solar Farm LA01/2025/0533/F*
- *This proposal comprises a solar farm over a 31ha site to the south of Limavady. In addition to the ground mounted panels, the scheme includes the additional key elements of an access road, a substation, inverter/transformer cabins and fencing with CCTV cameras. The panels have a maximum height of between 2.8 and 3.5m, are angled at approximately 25 degrees and are arranged in rows.*
- *As indicated in the Northern Area Plan 2016, the site is located in the open countryside, outside the settlement development limit of Limavady. The Northern Area Plan 2016 is silent on the matter of solar farm development. Therefore, regional policies apply.*
- *As this is a major planning application, it was preceded by a PAN accompanied by a community consultation report together with a Design and Access Statement. The application followed submission of a positive pre-application discussion (PAD) application.*

MAIN ISSUES

- *Public Safety/ Human Health & Residential Amenity- The closest dwellings to the proposal are located at Ballyleagry Road. A noise assessment was submitted and the Environmental Health Department are content with same. A glint and glare assessment shows the proposal to be acceptable, further to mitigation in the form of additional landscaping. A Landscape and Visual Impact Assessment was presented with the application. Given specific siting and mitigation, the impact on affected properties is moderate but not unacceptable.*
- *Visual Amenity/ Landscape Character- The site is not located in any sensitive landscapes. It is located outside the Binevenagh AONB located 4km to the north. The Landscape and Visual Impact Assessment (LVIA) submitted with the application was undertaken by a Chartered Landscape Architect. Landscape features such as trees and hedges are to be retained as part of the development proposals. A total of 10 viewpoints were assessed in the LVIA. The LVIA includes photomontages. These include views with 15 year mitigation landscaping. The most critical views of the site are those in close proximity. The most significant views are from Edenmore and Ballyleagry Roads. The views while at some locations are significant, are mitigated by proposed landscaping and the lightly trafficked nature of the roads. The impact on Ballyleagry Road, where the panels are close, is mitigated by setback with an agricultural foreground. There is no significant critical view from the main Ballyquin Road. Overall, the proposal is not prominent or dominant in the landscape. There are no harmful cumulative impacts.*
- *Natural Heritage- Consideration has been given to a range of issues such as priority habitat (specifically hedgerows), the presence of badgers and bats and impacts on the water environment. The proposal includes enhancement*

of existing hedges and new hedge planting. Through the submission of various reports, consultation with the relevant authorities and the use of a specific condition regarding the Construction Environmental Management Plan (CEMP), the proposal is considered acceptable in this respect.

- *Archaeology- Given the size of the site, archaeological evaluation is required. This is regulated by condition.*
- *Economic, Environmental and Social Benefits- This 29.9MW proposal offers significant economic and environmental benefits. These include a contribution towards meeting the 80% renewable energy by 2030 target set by the Climate Change (NI) Act 2022. Significant weight is given to these factors in this instance. SPPS Edition 2 sets out that planning authorities must help facilitate delivery of the necessary increase in appropriate renewable and low carbon energy developments so that the contribution of this sector to the transition to a net zero energy is optimised.*
- *Representations- None.*
- *CONCLUSION- Having regard to the relevant issues, the proposal complies with policy. Therefore, approval is recommended.*

Alderman Coyle asked about the statement for decommissioning in respect of the timespan for renewables. He asked whether consideration had been given to glint and glare in respect of the effect on aircraft, with the site being situated in proximity to the City of Derry airport and beneath flight paths used by transatlantic, domestic and private aircrafts.

The Development Management Manager stated that the proposed conditions for the approval include a date of expiration of 35 years from the date of approval. The Development Management Manager advised that approval would be granted on a temporary basis for that lifespan, which would allow the land use to be reconsidered at the time of expiration in respect of the policies that will be in place then. He advised that the decommissioning and site restoration plan is to be submitted as part of the conditions of the approval. He further advised that condition 5 states that if the site ceases to generate electricity, the site must be restored. He stated that in respect of aviation safety, the Federal Aviation Administration (FAA) was advised of the application and the City of Derry airport was consulted as the nearest operator, and no objections were raised.

The Chair invited L Coulter, G Rolston, and C Devlin to speak in support of the application.

L Coulter thanked the Planners for their diligence in getting the application to this point. In response to a question from the Chair, L Coulter stated that the scheme would provide sufficient energy to power up to 9510 homes per annum and would result in a reduction in carbon emission of over 12,000 tonnes annually.

Proposed by Councillor Nicholl

Seconded by Alderman Scott

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

The Chair put the motion to the Committee to vote.

13 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, the Chair left the Chamber at 12.44pm**

* **The Vice Chair, Alderman Coyle, took the Chair.**

5.4 LA01/2026/0176/F (Council) Garvagh War Memorial Main Street, Garvagh

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

Council Application to be determined by Planning Committee

App No: LA01/2026/0176/F

App Type: Full

Proposal: Erection of war memorial plaque onto existing historic stone wall and erection of war memorial plinth adjacent to existing steps of memorial.

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:

- *LA01/2026/0176/F Council item*
- *This is a full planning application seeking permission to erect a memorial plaque and to erect a memorial plinth adjacent to the existing Garvagh war memorial on Main Street, Garvagh.*

- *The site is located within the Town Centre and Settlement Development Limit of Garvagh and within an Area of Archaeological Potential, as defined within the Northern Area Plan 2016. The site is not subject to any other specific environmental zonings or designations. The site is adjacent to the existing war memorial which is a Listed Building.*
- *The proposed plaque will be fixed to the existing stone wall to the rear of the existing war memorial. The text will be inscribed on dark grey granite or similar to match the basalt wall and the existing war memorial with a similar font type and size to ensure cohesion to existing inscriptions.*
- *The proposed memorial plinth will be adjacent to the steps of the existing war memorial, immediately adjacent existing wall. The Pillar will be granite or similar with matte brushed/sandblasted finish to ensure similarity with the existing war memorial. S6 The font type and size ensures cohesion to existing inscriptions.*
- *No objections or representations have been received in relation to the proposed development and consultation has been carried out with Historic Environment Division. Both monuments and Buildings have not raised any objections and confirmed that the proposal has no greater demonstrable harm on the setting of the Listed Building.*
- *The principle of development is considered acceptable. The proposal is minor development beside the existing war memorial. The development is appropriate in terms of its siting, scale and design. The choice of materials are sympathetic to and complement the existing war memorial ensuring a cohesive approach which does not affect the setting of the listed Building. The proposal respects the scale, form and style of the listed Building and the surrounding townscape.*
- *The proposal complies with all relevant planning policies including the Regional Development Strategy, Northern Area Plan, SPPS Edition 2, PPS 6 and Planning Strategy for Rural Northern Ireland.*
- *The application is recommended for APPROVAL.*

Councillor Anderson stated that it was excellent to see this memorial being progressed.

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 Vice Chair put the motion to the vote

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

The Vice Chair declared the application approved.

RESOLVED - That 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 Vice Chair declared a recess for lunch at 12:50pm

The Vice Chair vacated the Chair at 12:50pm.

Democratic Services Officer, U Harper left the Chamber at 12:50pm.

The meeting resumed at 2:00pm

Democratic Services Officer, J Keen joined the Chamber at 2:00pm

* **Councillor Kane joined the meeting at 2:00pm and resumed the Chair.**

* **Alderman Storey joined the meeting in the Chamber at 2:00pm.**

The Director of Corporate Services undertook a roll call.

5.5 LA01/2024/0688/F (Objection) 8 Cedar Avenue, Ballycastle

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

Objection Application to be determined by Planning Committee

App No: LA01/2024/0688/F

App Type: Full

Proposal: Demolition and erection of 4 no apartments, improvements to existing access and new site access, parking provision, and all ancillary works including 4 no. storage sheds and bin store.

Recommendation

Retrospective application for proposed replacement dwelling as built for residential purposes - (change of house type from LA01/2016/0956/F

Addendum Recommendation

That the Committee note the contents of this Addendum and agree with the recommendation to defer the application to allow for the submission of revised proposals.

Addendum 2 Recommendation

That the Committee note the contents of this Addendum and agree with the new recommendation to Approve planning permission subject to the conditions below.

Conditions

1. This planning permission has effect from the date which the development hereby approved was carried out.

Reason: As required by Section 55 of the Planning Act (Northern Ireland) 2011.

2. The widening of the existing vehicular access shall be provided in accordance with Drawing No. 02 (Rev. 06) published 6th February 2026 and DfI Roads FCD 1 form within three months from the issue date of this planning permission.

Reason: To ensure there is a satisfactory means of access in the interests of road safety and the convenience of road users.

3. The works to increase the height of the 1st floor balcony shall be carried out within 3 months from the date of this permission.

Reason: To safeguard the privacy of adjacent properties.

4. The opaque finish shall be provided to the 1st floor windows and 1st and 2nd floor balconies as indicated in drawing No 03 (Rev 03) within 3 months from the date of this permission and shall be permanently retained.

Reason: To safeguard the privacy of adjacent properties.

5. The north-western wall of the 2nd floor rear roof terrace shall be increased in height as indicated in drawing No 03 (Rev 03) within 3 months from the date of this permission and shall be permanently retained.

Reason: To safeguard the privacy of adjacent properties.

6. The existing natural screenings of the site, along the north-eastern boundary as indicated on approved drawing No. 03 (Rev 03) shall be permanently retained unless necessary to prevent danger to the public in which case a full explanation along with a scheme for compensatory planting shall be submitted to and agreed in writing with the Council, prior to removal.

Reason: To safeguard the privacy of adjacent properties.

Addendum 3 Recommendation

That the Committee note the contents of this Addendum and agree with the recommendation to Approve planning permission as outlined in Addendum 2 of the Planning Committee report.

Senior Planning Officer, E Hudson presented via PowerPoint presentation as follows:

- *Planning Application LA01/2024/0688/F. This is a Retrospective application for proposed replacement dwelling as built for residential purposes - (change of house type from LA01/2016/0956/F).*
- *8 Cedar Avenue, Ballycastle.*
- *A site visit took place on Monday*
- *The application was originally placed on the Planning Committee schedule in October 2025 as a referral item and recommended for refusal. It was deferred before the meeting at the request of the agent to allow for amended plans to be submitted. Amended plans together with a supporting statement and personal statement from the applicant and 53 comments of support for the development were submitted in February and re-neighbour notification carried out. Following consideration of the amendments the Planning Department are content that amendments address our concerns – this is considered in Addendum 2 of your committee report. The application is now being presented as an objection item with a recommendation to approve planning permission with conditions.*
- *Following referral for a Site Visit at last month's committee concern was raised from some objectors in relation to neighbour notification of amended plans. In response to these concerns, it was agreed further notification would be carried out and this expired on 14 April. 2 further letters of objection were received following this notification and these are detail in Addendum 3 of the Committee report.*
- *(Slide) This is the red line boundary of the site. The site is located in the Settlement Development Limit of Ballycastle and within an established residential area.*
- *(Slide) Site layout drawing. There is planning history on the site which is of relevance to this application.*
- *Planning permission originally granted in 2006 for a replacement dwelling. This was renewed in 2011 and again in 2016. Construction began around 2021 and the building constructed on site was not built in accordance with the approved plans. A Non Material Change application was submitted to rectify the changes made however this was refused and subsequently this application was submitted for retrospective planning permission.*
- *This application has received 29 letters of objection from 12 separate addresses. Issues raised are outlined in part 5.3 of the committee report. They include:*

- *Design/scale not in keeping with area;*
- *Overlooking into adjoining neighbours;*
- *Concern of proposed use;*
- *Overdevelopment;*
- *Blocks view*
- *(Slide) These are the details of the previous granted scheme. This slide is the front and rear return. In terms of design, scale and massing the proposal is largely similar to that previously approved. The first floor balcony and second floor roof terrace were previously approved. The changes from the approved scheme and the latest submission are outlined in part 8.7 of the committee report.*
- *(Slide) This shows the previously approved side elevations of the dwelling.*
- *Overall, the scale is similar to that previously approved. The frontage and gable depth and height are the same. The amended plans appear to show that it is sited closer to the rear boundary. It would appear there is a discrepancy in the scale of the approved plans and it is likely the distance from the rear boundary would be similar.*
- *(Slide) The floor plans that were submitted with this application: To summarise the changes between the previously approved dwelling and the as built dwelling include:*
 - *Ground floor additional floorspace to the rear;*
 - *First floor. Cantilevered area of side elevation increased with additional rear window. Changes to rear balcony finishes.*
 - *Second floor. Floor space increased. New high level windows. Bi fold doors added to roof terrace. Glass balustrade around part of roof terrace.*
- *(Slide) Floor plans of current proposals. Amended plans have shown a 1.8 m screen to part of the 1st floor balcony which is adjacent to the boundary with no. 6 Cedar Ave. Previously the balcony was enclosed by a 1.2 metre rail. It is now proposed to enclose the balcony with a 1.2m glazed balustrade and the 1.8 m screen on the corner with no. 6.*
- *(Slide) On the roof terrace at second floor it is proposed to fit the current glass panel with an obscure film. It is also proposed to include a solid timber parapet above the wall at the boundary adjacent to no. 10 Cedar Ave.*
- *(Slide) Looking at Elevational details of the amendments proposed.*
- *This is the proposed front elevation.*
- *(Slide) The rear elevation shows the privacy screen along with the rear window on the cantilevered element also obscured. The first floor roof terrace will have an opaque film applied to the glazed element along with a solid timber parapet above the side elevation facing no. 10 Cedar Ave.*
- *(Slide) This is the rear and side elevation.*
- *The side elevation is the one adjacent to no. 6. The long window on the side elevation has been obscured along with the increased screen panel of 1.8 m*

along the side of the balcony which should help to minimise the direct overlooking at close proximity into the rear of no. 6. Another view of the rear elevation.

- *(Slide) Photos.*
- *This photo is from along Cedar Ave showing the frontage. The frontage width and set back from the road is similar to the previous approval. The design is contemporary however in terms of proportions scale and massing is similar to that previously approved and does not appear out of place in the street scene. It reflects the established building line along this part of Cedar Ave.*
- *(Slide) Another view along Cedar Ave.*
- *(Slide) Taken from the rear garden a close up of rear elevation showing the 1st floor balcony and second floor roof terrace.*
- *(Slide) Another rear view which also shows the overhang element. It is proposed to obscure the rear window of this.*
- *(Slide) Showing the rear elevation together with adjacent property at no. 6.*
- *(Slide) View from the rear of no. 6. No. 6 sits at a lower level to the application site. Our concern with the originally submitted scheme was the direct overlooking which could be achieved from the first floor balcony and roof terrace into the rear of no. 6. The amended plans provide a 1.8 m privacy screen along the side and 1m across the back. This will help to prevent the direct side on view into the rear of no. 6 and direct it more to the rear. The glazed element of the upper roof terrace will also be obscured.*
- *(Slide) This taken from inside the dwelling from the cantilevered element. This window to be obscured.*
- *(Slide) Another view from the first floor balcony towards no. 6 and coastguard cottages.*
- *(Slide) And from the upper roof terrace. This glass will be obscured which will help limit the extent of views into the rear of no. 6.*
- *(Slide) This is from the rear of the other neighbouring property at no. 10 which sits at a slightly higher level. Red arrow marks the roof terrace which will have an additional parapet timber panel*
- *(Slide) A view from the roof terrace. Due to the close proximity of the roof terrace to the side and rear of no.10 there were concerns with regards to overlooking into the rear 1st floor window of no. 10 and into their rear garden. The additional of the parapet will aid in reducing this level of direct overlooking and help to maintain privacy.*
- *(Slide) View from the rear of no. 8 Cedar Drive. The first floor balcony is screened by vegetation. The roof terrace is higher up although further removed than the properties on either side. The glazed element will be obscured. There is also a commercial unit – holiday let which runs along the immediate boundary with the application site this increases the separation distance from the rear elevation to the common boundary of the residential curtilage of no. 8 Cedar Drive. An element of overlooking is expected in an*

urban context and the test is whether it will result in significant loss of privacy. Taking these factors into account it isn't considered the level of overlooking to no. 8 would so detrimental as to warrant a refusal.

- *(Slide) A view from the roof terrace towards the rear of no. 8.*
- *(Slide) Towards the front of Cedar Avenue.*
- *Previous reason for refusal related to it being contrary to the SPPS, Creating Places, DCAN 8 and criteria H of Policy QD 1 in PPS 7 as it failed to take account of the private amenity space of surrounding properties and did not provide a quality residential environment. Taking into account the planning history of the site, amended plans to show mitigation measures in relation to impact on privacy and the urban context of the site. Our recommendation is to approve planning permission with conditions as outlined in Addendum 2 and Addendum 3.*

In response to questions Senior Planning Officer, E Hudson, clarified that the recommendation is to approve the application as set out in Addenda 2 and 3. Senior Planning Officer confirmed that the conditions should be fulfilled within 3 months. In response to further questions the Senior Planning Officer advised that if the conditions were not met within the 3 month time frame it could be referred to the Enforcement Team within the Planning Department.

In response to questions the Senior Planning Officer, E Hudson, advised that the cantilever is within the kitchen/lounge area, opaque glass is to be applied within 3 months and is to remain in place permanently. In relation to the balcony the height will remain as it is, the window to the side of it will be made opaque and a screen of 1 metre will be added to the balcony.

The Chair invited D Doherty and B Donaghy to speak in objection to the application.

B Donaghy stated that his property is adjacent to the site and the overbearing overtone of the application is not acceptable, that there is an expectation of a reasonable level of privacy and security in your home and the screening is not enough to provide this. B Donaghy stated that the overshadowing blocks light to rooms in the neighbouring properties. B Donaghy stated that the scale, size and design is not in keeping with the area.

D Doherty stated she lives to the rear of 8 Cedar Avenue and due to the new enhancement of the house she no longer has privacy, comfort or enjoyment in her home and does not use the outdoor area to the rear of her home. D Doherty stated that the house is not a standard home for the street and has changed the character of the area. D Doherty stated that the glazing to the rear of the house is extensive and is greater than what was previously agreed and that the house has

been unlawfully extended and is overlooking her property from a higher level. D Doherty stated that the property is now larger by 18m². D Doherty stated that the opaque screening does not solve the problem of the overlooking.

In response to questions regarding the key differences between what has been built and what was approved D Doherty stated that the house is bigger, there are more windows, the roof terrace is an actual living space, there are now 2 front doors, an extra bifold door, a difference in scale and massing, there is a huge list that she does not have available at this meeting.

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

J Muldoon stated that the planning application from 2016 is material and the design has not changed profoundly, and the objections made are not an accurate reflection of what has actually been built. J Muldoon stated measures to address the issue of overlooking have been put to the Committee and the topography of the site is important. J Muldoon stated that she had nothing further to add to the Planning Officers report.

In response to question to what was different to what has been built and what was approved J Muldoon stated there was a number of tweaks which have now been amended in the application. J Muldoon stated that the number of little things that were amended are considered to have had a cumulative effect. J Muldoon stated that the overlooking issues have been addressed and that the other issues raised are not significant enough for discussion. J Muldoon stated that the clients have also found the process distressing.

The Chair read the recommendation as stated in Addendum 3.

Proposed by Councillor Nicholl

Seconded by Councillor McGurk

- That the Committee note the contents of this Addendum and agree with the recommendation to Approve planning permission as outlined in Addendum 2 of the Planning Committee report

The Chair put the motion to the Committee to vote.

11 Members voted For; 1 Members voted Against, 2 Members Abstained.

The Chair declared the motion carried and application approved

RESOLVED - That the Committee note the contents of this Addendum and agree with the recommendation to Approve planning permission as outlined in Addendum 2 of the Planning Committee report

5.6 LA01/2025/0631/F (Objection) Land between No.5 York Avenue and No.9 York Avenue, Portstewart

Report, presentation, addendum, site visit note, objection letters and speaking rights template were previously circulated and presented by Senior Planning Officer, R Beringer.

Objection Application to be determined by Planning Committee

App No: LA01/2025/0631/F
App Type: Full
Proposal: Infill Urban Dwelling

Recommendation

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

Addendum Recommendation

That the Committee note the contents of this Addendum and agree with the recommendation to Approve the planning application as set out in Section 9 and 10 of the Planning Committee Report.

Senior Planning Officer, R Beringer, presented via PowerPoint presentation as follows:

- *LA01/2025/0631/F is a full application for an infill urban dwelling.*
- *A Committee Report, 2 Addenda and a Site Visit Note accompany this application. A site visit took place on Monday.*
- *A verbal addendum is also provided.*
- *(Slide) This application is a local application being presented to the Committee as an objection item with a recommendation to approve. To date, there have been 27 objections to the proposal (from 16 separate addresses). The objection points are set out in Section 5 of the Committee Report, and in the addenda, and mainly relate to impact on character and appearance, overdevelopment/size of the site, design, impact on residential amenity – loss of light & loss of privacy, and traffic & parking concerns. These points and others have been considered within the Planning Committee Report and Addenda.*
- *(Slide) The site, as outlined in red, is located within the settlement development limit for Portstewart. It is not subject to any specific zonings or designations as set out in the Northern Area Plan 2016. The site is located between Nos. 5 and 9 York Avenue and comprises a vacant strip of land.*

- *(Slide) The proposed site plan shows the footprint of the proposed dwelling alongside the existing adjacent dwellings at Nos 5 & 9. The proposal is for a detached dwelling, with amenity space to the front and rear. Space for cycle parking is provided to the front.*
- *(Slide) Proposed floor plans of the new dwelling. There is living accommodation comprising kitchen/dining and a living room proposed to the ground floor, and two bedrooms, ensuite and bathroom on the first floor.*
- *(Slide) Proposed elevations. The proposed dwelling is two storey in height and features a mono-pitch roof design.*
- *(Slide) This is a contextual elevation, indicating the dwelling in the context of its immediate neighbours.*
- *Moving to some photographs of the site:*
- *(Slide) View of the site itself from York Avenue, with Nos 5 & 9 to either side of the site.*
- *(Slide) View of the site from the end of York Avenue, close to junction with Central Avenue, showing the site relative to the neighbouring properties.*
- *(Slide) View of the site looking back towards Central Avenue, again in context of neighbouring properties.*
- *(Slide) View looking back along York Avenue from outside the Scout Hall, you can see there is existing on street parking.*
- *(Slide) View of existing layby on York Avenue.*
- *The proposal is for a small urban infill dwelling. The proposed dwelling is two storey in height which is reflective of the scale of development in the surrounding area. The proposed dwelling is designed with a mono pitch roof which is not considered unacceptable in this location given the prevalence of pitched roofs along York Avenue. The proposal as presented is considered acceptable. The scale, massing and design do not cause unacceptable damage to the character of the surrounding area. Proposed materials and finishes for the dwelling are satisfactory and in keeping with the local area. Objections raised issues in relation to impact on character, the size of the site, design, and impact on residential amenity. The site is a small infill site, but the layout of the proposal has been designed accordingly, the design is in keeping with the surrounding area and there are no unacceptable impacts on local character or neighbouring amenity in terms of overlooking or overshadowing.*
- *Adequate amenity space is provided to the rear of the proposed dwelling and is adequate to serve a development of this scale. Objectors had raised the issue of the amenity space, and while the space is lower than the 40sqm set out in Creating Places for one dwelling, paragraph 5.20 of Creating Places states that for 1 or 2 bedroom houses on small urban infill sites private amenity space in the region of 10-30sqm will be acceptable. The proposal is for a 2 bed dwelling on this urban infill site, material weight is also attached to the location of the site within walking distance of coastal paths. A front garden with cycle parking is also provided and bin storage can be*

accommodated within the site. The proposed arrangements are acceptable and the proposal complies with PPS 7 policy requirements.

- The proposed parking arrangements rely on on-street parking for the proposal. The proposal was accompanied by a parking survey which demonstrated that there are on-street parking spaces to serve this development. Department for Infrastructure Roads have been consulted several times on this application. The parking survey was amended to show all existing vehicular accesses and only show available parking spaces. The updated survey still demonstrated that on-street parking was available.*
- Objectors raised concerns in relation to some of the spaces identified in the survey not being legitimate spaces. The content of the updated parking survey has been reviewed, and it is determined that even if the spaces queried by objectors were discounted, sufficient spaces remain on street to serve this development. Department for Infrastructure Roads have not raised any road safety issues in relation to the survey. The proposal is considered acceptable and complies with Policy AMP 2 and 7 of PPS 3.*
- There have been no objections raised by consultees in relation to this proposal. Proposed conditions are included at Section 10 of the Committee Report and include a recommended condition from NI Water in relation to surface water.*
- The application has been assessed in relation to the relevant policy considerations of PPS 2, 3, 7 & APPS 7, and the proposed dwelling is considered acceptable. The recommendation is for approval.*

In response to questions regarding Creating Spaces the Senior Planning Officer, R Beringer, advised this is referred to in Section 7 of the Committee report and confirmed that it is a guidance document.

In response to further questions regarding parking the Senior Planning Officer, R Beringer, advised that the application was assessed as it was presented and considered acceptable.

The Chair invited A Domzala, S McLoughlin, A Jackman and J Jackman to speak in support of the application.

A Domzala stated that she is concerned that the house will look different and will be very small. She stated that the house will be taller than No 9 which will cause a loss of light and overshadowing and there will be small, constrained boundaries. A Domzala expressed concern regarding getting Building Control consent for the dwelling for example for access for those with a disability. A Domzala expressed concern regarding the effect the building work will have on the foundations of her home which is beside the site. A Domzala stated there is no in curtilage parking provided within the plans.

S McLoughlin stated that his wife has arthritis and is limited in her activities and how often she leaves the house. S McLoughlin stated that he parks at his house and is often he is currently blocked in and there is potential for this to happen on further occasions if this application is approved and there are more cars parking on the street.

J Jackman stated that he is 81 and a blue badge holder and often has to park far away from his home and that his son is also unable to park near their home. J Jackman stated there is no provision for in curtilage car parking in this application. J Jackman stated that carers are having issues getting to the houses and having more cars will cause further issues for them.

A Jackman stated that the Department for Infrastructure advised there should be in curtilage parking for this site but it has not been provided. She further stated that currently there is 16 parking spaces for 17 houses and that almost every resident objects to this application. A Jackman stated that the design of the dwelling is not appropriate due to the appearance, design and adequate parking.

In response to a dwelling previously being in the empty site S McLoughlin stated there has not been a dwelling there for the 20 years he has lived on the street. J Jackman stated that he can't get into his space due to cars parking at the opposite side of the street. S McLoughlin stated that he lives at No8, just opposite the site and that he has the right to park in his space on the street.

The Chair invited B Wilson to speak in support of the application.

B Wilson stated that this is a modest infill dwelling and that policy seeks to encourage the use of brownfield sites that are under used in urban areas. B Wilson stated that this application is fully compliant with planning policy – locally, regionally and with SPPS. B Wilson stated that the design has been tailored to the site and the street scape. B Wilson stated that this is a residential amenity and that Planning Officers have assessed there will be no overshadowing or dominance. B Wilson acknowledged that parking is a concern but it has been addressed professionally. B Wilson stated that NI Water have no objections. B Wilson stated that Planning Officers have addressed all the objections in the Planning Committee report and further stated that objections are not a planning reason for refusal.

In response to questions regarding in curtilage parking being considered as part of the design B Wilson stated that it was considered but deemed not appropriate due to site visibility when exiting the property. B Wilson stated it is important to rely on the Planning Officers and consultees and their sound professional judgement. The parking concern was addressed through surveys and assessments, there were 16 surveys completed in total from March to August 2025 between 7am and

10pm on weekdays. The surveys showed there were spaces available at the time of each survey. B Wilson stated that parking is required within 200m of the site and stated this was achievable and named neighbouring streets within the 200m which have capacity for parking. B Wilson stated that the planning application meets planning policy and that there have been similar local sites approved. B Wilson stated that the Planning Officers' conclusion is that the application is acceptable and there has been no objection from the Department of Infrastructure. B Wilson stated that the evidence shows there is adequate on street parking and stated there are sustainable transport links. B Wilson stated that this is a gap site subject to vandalism and antisocial behaviour and referred to the residents parking plan.

In response to further questions B Wilson stated that the dwelling is for a local person who does not have a car and restated that the application meets planning policy.

In response to comments in the chat facility of MS Teams from an objector the Chair advised that they were unable to comment at this point in the meeting.

In response to questions regarding parking the Senior Planning Officer, R Beringer, advised the car parking surveys were independent and referred to Table 2 within the parking survey report to show details of dates, times and outcomes of each survey undertaken. The Senior Planning Officer advised that there is on street parking to serve the development and the distance of 200m required to allow for parking includes surrounding streets. The Senior Planning Officer advised that when each survey was completed there was a minimum of 6 parking spaces available and some surveys showed there was more than 6 spaces available.

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

M Bradley was not present at the meeting.

The Chair read the recommendation.

Proposed by Councillor Nicholl

Seconded by Councillor Kennedy

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

The Chair put the motion to the Committee to vote.

12 Members voted For; 0 Members voted Against, 1 Members Abstained.

The Chair declared the motion carried and application approved

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

* **Alderman S McKillop left the meeting remotely at 3:43pm**

5.7 LA01/2024/1119/O (Objection) Land between No. 44 and 44a Ballybrakes Road, Ballymoney

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

Objection 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, M McErlain, 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.*
- *This application was deferred from the February Committee Meeting to facilitate a site visit which was carried out on Monday 23rd March.*
- *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.*
- *Policy CTY8 allows for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage provided these respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements.*
- *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) and 2024/A0103 (Appendix 2).*
- *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 Road 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.*
- 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.*
- Refusal is recommended*

There were no questions put to the Planning Officer, M McErlain.

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

M Smyth stated:

- That the application is considered to comply with Policy CTY 8,
- The gap site forming part of an existing built-up frontage including No. 44, its outbuildings, and No. 44a with its garage.
- That the Council disputes the inclusion of No. 44a as part of the frontage but given the characteristics of this short stretch of lane that terminates at

No 44a it should be considered as the bookend to the southern side of the gap and therefore defining the gap.

- The Council accepts that the site could accommodate a modest dwelling without adverse visual impact and raises no concerns regarding plot size or width so the application satisfies these elements of the policy.
- Referred to 2 PAC decisions included within the planning committee report and considered that they were not directly comparable, as those cases failed due to different contextual issues. M Smyth stated that this application's only point of contention is the role of No. 44a in defining the frontage.
- Referred to PAC Decision 2013/A0214 for an infill site outside Carryduff is being very relevant as it is similar to this application for a gap site along a laneway. M Smyth stated that defining the gap relied on a dwelling located at the end of the laneway and which looked down the lane rather than fronting it and that the PAC determined that this building did indeed form part of the substantial and continuously built up frontage and defined the gap. M Smyth stated that the appeal was upheld.
- The stance of the PAC in relation to opportunities for rural sites under the various policy provisions and how an application was considered to be in accordance with the spirit and intent of the policy then the fact that a proposal did not fully comply with all requirements was not determining.
- M Smyth cited PAC Decision 2011/A0044 relating to a gap site in outside Ballyronan and stated that while each application is assessed on its own merits, the only dispute is the relationship of No. 44a and its garage to the laneway, which should not justify refusal.
- The proposal meets all other planning requirements, and the laneway's limited scale and dead-end nature mean there is no risk of ribbon development or countryside encroachment.

In response to questions M Smyth stated that this application is comparable to the Planning Appeals Commission decision referred to as the bookend building did front onto the laneway, the Planning Appeals Commission accepted this, this application is fully comparable. In response to further questions M Smyth stated there are 3 properties along the lane, a gap and then the end house.

In response to questions relating to paragraph 8.14 of the Planning Committee report the Senior Planning Officer stated that a modest 2 storey dwelling would be acceptable in this site. The Senior Planning Officer stated that the issue is technical issue of substantive built up frontage, that this is a matter of fact issue and the dwelling should be on the southern side of the site for frontage.

The Chair read the recommendation.

Proposed by Councillor Storey

Seconded by Councillor Kennedy

- That the Committee has taken into consideration and disagrees with the reasons for recommendation set out in Section 9 and the policies and guidance in sections 7 and 8 and resolves to APPROVE planning permission for the following reasons:
- It lies in an already developed location of the laneway
- Planning Appeal Commission decisions are a material consideration regardless of time. Reference 2013 A0214 is very comparable and is a shorter laneway with continual built-up frontage.
- No 44A still uses and is served by the laneway as there is no other access or egress from the property other than the laneway.
- The dwelling would share the same access as No 44A
- Paragraph 8.14 of the Planning Committee report states that the acceptance that this site could hold a modest property with no visual impact
- Paragraph 6.7 of SPPS fails because this site can be used. This development is along a continuous laneway so would not result in suburban style build up and would not add to the ribbon development.
- The location of the dwelling on the site can be a condition for approval.

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried and application approved

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

- It lies in an already developed location of the laneway
- Planning Appeal Commission decisions are a material consideration regardless of time. Reference 2013 A0214 is very comparable and is a shorter laneway with continual built up frontage.
- No 44A still uses and is served by the laneway as there is no other access or egress from the property other than the laneway.
- The dwelling would share the same access as No 44A
- Paragraph 8.14 of the Planning Committee report states that the acceptance that this site could hold a modest property with no visual impact
- Paragraph 6.7 of SPPS fails because this site can be used. This development is along a continuous laneway so would not result in suburban style build up and would not add to the ribbon development.
- The location of the dwelling on the site can be a condition for approval.

RESOLVED – to delegate informatives and conditions to Officers

- * **Alderman S McKillop rejoined the meeting remotely at 4:33pm**
- * **Councillor Storey left the meeting in the Chamber at 4:04pm during consideration of the following item.**

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

Report, presentation and speaking rights template 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 is 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.

Addendum 3 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:

- *LA01/2023/0418/F 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 and deferred for a site visit. A note of the site visit was circulated to members.
- 3 addenda have been circulated to that effect. The first addendum was to seek deferral to amend the description, the second addendum to advise of the new amended description and policy update on the SPPS Revision 2. The third addendum advises of a letter of objection and a letter of support.
- 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 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 and PPS 21 namely Policy CTY 4.
- The SPPS allows for the sympathetic conversion and re use of existing buildings and their adaption if necessary for residential use of a locally important building such as a former school houses, 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 its ruinous state it could not be argued as locally important and that there is little awareness of it in the landscape.
- The agent submitted supporting information. 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. The fact that blackstone building has been on the site for a significant period does not itself justify itself as a locally important

- building. It has limited public views, and no awareness from the public road. It does not meet the definition of locally important as set out in the SPPS.*
- *Policy CTY 4 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 permeance it is 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 93m² to 365m². The scale of the proposed development dominates the existing structure and fails to retain or enhance its form, and the character is lost to the overall scheme of development.*
 - *The proposal fails criteria (c) in that the proposed development over whelms the existing building and is not sympathetic 2 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 residne4tail 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.*
- *Furthermore, 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.*

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

D Dalzell stated

- That the Planning Officers recommendation to refuse the application was not accepted.
- That the Committee members overturned a similar refusal recommendation in January 2025 to approve the refurbishment of the old workshop and canteen at Craighullier. That in that application the Committee recognised the sustainability of retaining and reusing heritage rural buildings like this.
- The Committee Members recognised the local importance of the buildings and gave weight to the comments made by industrial archaeologist Dr Hammond. D Dalzell stated that the same principles applied to this application.

- That the proposal is supported by [REDACTED] Social Workers. D Dalzell stated that the Planners have failed to take into account that [REDACTED] dwelling fits CTY6 as a suitable alternative to a new dwelling in the countryside and is the conversion and reuse of another building within the curtilage of the property. D Dalzell stated that this dwelling also passes the tests of CTY4 as a refurbishment opportunity in its own right.
- D Dalzell stated that the design respects the original buildings as the proposed extensions have been sensitively designed. The proposal will have no adverse impact on nearby residents or agricultural operations, the setting is away from the public road in a well-defined mature site and that the design of forge extension has been reduced during the planning process.
- D Dalzell stated disagreement with the Planners' assessment of the building being in an advanced ruinous state and unsuitable for conversion. D Dalzell went on to state that the walls are substantially intact and a testament to the builders at the time. D Dalzell stated that all the criteria of CTY4 has been met.
- D Dalzell stated that the planners accept that the application does not offend Policy CTY 13 and CT14, he stated that he understands it to mean the application complies with CTY13 and CTY14.
- D Dalzell stated that sustainable development should be permitted. D Dalzell stated that reusing existing buildings is an inherently sustainable form of development which is supported by planning policy and the Council's wider drive towards making better use of resources and combatting climate change.
- D Dalzell stated that these buildings are locally important, the old forge and garage are physical evidence of Craigahulliar's mining and quarrying period in the early 20th century.
- D Dalzell stated that Dr Fred Hamond has assessed the buildings and concluded that they are of historic heritage interest and physical evidence of the quarry's development.
- D Dalzell stated that the example of an appeal decision provided by the Planners is not comparable to this proposal as that application was for a farm dwelling which engages different planning policies. D Dalzell stated that in that application much of that building's walls were not intact with one gable missing entirely and there was no enclosed, interior space. That site did not have the historical context of this proposal.
- D Dalzell stated that all consultees are content.

D Dalzell asked C Mayrs to speak on Policy CTY6 relating to the family's personal and domestic circumstances.

C Mayrs stated:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

In response to questions regarding why the family want to use this site C Mayrs stated that he retained this site after selling his business and this site lends itself well to what they want to do, other dwellings are not suitable to meet their needs.

In response to questions the Development Management (local applications) Manager stated that CTY6 does grant permission for dwellings for personal circumstances. The Development Management (local applications) Manager advised that, in previous cases, permission has been granted when a family was living in a rural location, and when there was a dwelling already in existence on the site where a dependent wants independence and there is genuine hardship if the application was refused. The Development Management (local applications) Manager stated that the policy does require a statement for personal domestic circumstances and confirmed there is a letter from the Social Worker, Mr and Mrs Mayrs have also detailed why the dwellings are needed but there is no explanation as to why there is not an alternative.

In response to further questions the Development Management (local applications) Manager stated that the planning application for the site at the old workshop was only refused on the principle that the building was not of local importance and this application is refused because the building is not considered to be of local importance and also SPPS and CTY4 as this site fails to meet Criteria A, B and C. The Development Management (local applications) Manager stated that the design will not keep any evidence of the previous building, that it will change the form, character and architectural style of the building.

In response to questions the Development Management (local applications) Manager agreed there was a degree of permeance but the building is in a ruinous state with so much of the building no longer present. The Development Management (local applications) Manager cited paragraph 10 of the PAC decision and stated how this refers. This building is in much more of a ruinous state and it is not a full building for conversion.

Councillor Anderson stated that in relation to CTY4 there is a permanent construction and requested that criteria A is taken out of the refusal reasons. The Development Management (local applications) Manager confirmed this could be removed.

Proposed by Councillor Watton

Seconded by Councillor Anderson

- That the Committee defer application LA01/2023/0418/F for 1 month to consider similar applications.

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.

RESOLVED - That the Committee defer application LA01/2023/0418/F for 1 month to consider similar applications.

The Chair requested that the Agent and family provide the following information before the application is presented to the Planning Committee again:

- More information on how policy CTY6 is met
- Further information as to why an extension of the Applicant's current house is not possible
- What are the Applicant's links to this site and why it is so important
- What difference will approving this application make to this family
- Why there is no alternative for the family to consider

* **Councillor Anderson left the meeting in the Chamber at 4:42pm**

The Chair called a recess at 4:42pm

The meeting resumed at 4:52pm

5.9 LA01/2024/0702/O (Referral) 115m South East of 223 Garryduff Road, Dunloy

Report, presentation and site visit note were previously circulated and presented by Senior Planning Officer, M McErlain.

Referral Application to be determined by Planning Committee

App No: LA01/2024/0702/O

App Type: Outline

Proposal: Proposed site for a single storey dwelling with detached garage parking and access to Garryduff Road

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:

- *LA01/2024/0702/O is an Outline application for the provision of a single storey dwelling with detached garage parking and access to Garryduff Road at Lands 115m South East of 223 Garryduff Road, Dunloy, Ballymena.*
- *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.*
- *This application was deferred from the March Committee Meeting to facilitate a site visit which was carried out on Monday 20th April.*
- *No objections have been received in relation to this application.*
- *The application site as defined by the red line boundary comprises a roadside portion of a large agricultural field. The roadside boundary is defined by a 2m well-established hedge while the southern boundary consists of 1m high post and wire fencing with sporadic hedge and tree planting. The northern and western boundaries are undefined and open to the surrounding agricultural land. The topography of the plot and immediate surrounding area rises steadily in ground level from east to west.*
- *The application site is bound to the immediate north-west by application site LA01/2024/0703/O which is running concurrently with this application.*
- *There is no previous planning history on the site.*
- *As this application has been submitted as an infill dwelling it falls to be determined under paragraph 6.73 of the SPPS and Policy CTY 8 of PPS 21.*
- *Policy CTY8 allows for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage provided these respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements.*

- *For the purpose of this policy the definition of a substantial and built-up frontage includes a line of three or more buildings along a road frontage without accompanying development to the rear.*
- *Officials accept that the dwellings at Nos. 231-237 to the south-east of the application site and dwellings at No. 217 and 74 to the north-west have direct frontage onto Garryduff Road. It is therefore accepted that there is a substantial and continuously built-up frontage at this location.*
- *The dwelling at No. 223 to the north west of the application site is set back from the Garryduff Road by approximately 45m and therefore does not have a frontage onto Garryduff Road and does not form part of any substantial and continuously built-up frontage.*
- *Likewise the approved site for a dwelling (LA01/2022/1195/O) to the immediate south east of No. 217 cannot be considered part of any substantial and continuously built-up frontage as there is no building present on the site*
- *The application site has a plot width of approximately 53m, which is more than twice the average plot width and significantly larger than the largest plot width within the existing built-up frontage which is 29m.*
- *The average frontage measurement along the substantial and continuously built-up frontage is 22.4m.*
- *Paragraph 5.34 of PPS21 outlines that the gap to be considered is between buildings (building to building).*
- *The gap (building to building) between the dwellings at No. 217 and No. 231 is approximately 222m.*
- *When assessed against the average plot widths along the frontage, the gap is capable of accommodating 10 dwellings.*
- *As the gap can accommodate significantly more than two dwellings when assessed against the existing character/pattern of development the gap cannot be considered to be a small gap site.*
- *The average plot size of the plots within the built-up frontage = 1667 square metres.*
- *The application site has a plot area of approximately 3624 square metres which, is significantly larger than the average plot size and significantly larger than the largest plot width within the existing built-up frontage. In considering the combination of plot width and plot size the application site fails to respect the existing pattern of development along the frontage.*
- *This application is directly comparable Planning Application LA01/2023/0692/O at Haw Rd, Bushmills. In that application it was determined that given the average plot size and established pattern of development the gap was capable of accommodating up to 6 dwellings. The application was refused permission by the Planning Committee and subsequently dismissed on appeal by the Appeals Commission.*

- *The infilling of the gap (217 – 231) would remove an important visual break that provides relief within the roadside streetscape and contributes to maintaining the rural character of the area. Its loss would extend development along this stretch of Garryduff Road resulting in an urbanising effect through adding to ribbon development, further eroding the rural character.*
- *Given the proposed development does not represent the infilling of a small gap site capable of accommodating a maximum of two dwellings, is not reflective of the established pattern of development within the frontage and would result in the addition to Ribbon Development along Garryduff Road the application fails to comply with Paragraphs 6.70 and 6.73 of the SPPS and Policies CTY8 + CTY14 of PPS 21.*
- *As this is an outline application no detailed plans have been submitted regarding the design of the proposed dwellings. However, the proposal description relates to a single storey dwelling.*
- *Aside from the mature roadside hedge, the site lacks long established natural boundaries and would be reliant on new landscaping to provide enclosure and integration. Given the local topography, a new dwelling sited on the rising slope within the application site would appear prominent and visually intrusive within the landscape. In the absence of mature features capable of integrating a new dwelling into the landscape, the proposal fails to satisfactorily integrate within the landscape. Accordingly, it is contrary to Paragraph 6.70 of the SPPS and Policy CTY 13 of PPS 21.*
- *An image looking south towards the application site from opposite side of the road to No. 217. This image again reinforces the size of the gap and the important visual break it provides within the existing streetscape.*
- *An image of the dwelling at No. 223 which shows the dwelling and curtilage set back from the Rd, confirming that it does not have a frontage onto the Garryduff Rd.*
- *Consultation was carried out with DFI Roads, Environmental Health, NI Water, DAERA Water Management Unit, who have raised no concerns.*
- *In Conclusion the proposal is contrary to Paragraphs 6.70 and 6.73 of the SPPS and Policies CTY8 CTY13 and CTY14 of PPS21.*
- *In addition, no overriding reasons have been forthcoming as to why the development is essential, therefore the proposal is contrary to CTY1. Refusal is recommended.*

In response to questions the Senior Planning Officer advised that if No 223 Garryduff Road was accepted 6 dwellings could fit into the gap site.

The Chair read the recommendation.

Proposed by Alderman Coyle
Seconded by Alderman Boyle

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

The Chair put the motion to the Committee to vote.
7 Members voted For; 1 Members voted Against, 3 Members Abstained.
The Chair declared the motion carried and application refused.

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

5.10 LA01/2024/0703/O (Referral) 56m South East of 223 Garryduff Road, Dunloy

Report, presentation and site visit note were previously circulated and presented as read by the Chair.

Referral Application to be determined by Planning Committee

App No: LA01/2024/0703/O

App Type: Outline

Proposal: Proposed site for a single storey dwelling with detached garage parking and access to Garryduff Road. Also the formation of a field access in conjunction with the site access.

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 Chair stated that this application would have the same presentation and issues as LA01/2024/0702/O so proposed that the Committee do not hear the presentation again.

Proposed by Alderman Coyle
Seconded by Alderman Boyle

- That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections

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

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried and application refused.

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

6. CORRESPONDENCE

The Chair presented Items 6.1 – 6.3 inclusive as read.

6.1 DfI – Transforming Planning – Independent Inspectors Project

Copy, previously circulated was presented as read.

Correspondence re: Transforming Planning – Independent Inspectors Project

Planning Committee NOTED the correspondence.

6.2 DAERA – Rural Policy – Public Consultation Launch

Copy, previously circulated, presented as read.

Correspondence re: Rural NI: Our New Approach (2026–2041) - Public Consultation Launch

Planning Committee NOTED the correspondence.

6.3 NIHE – Grant Support Funding Letter & Council's Response

Copy, previously circulated, presented as read.

Correspondence re: NIHE – Review of New Build Grant Support

Planning Committee NOTED the correspondence.

6.4 DfE – Mineral Policy Review – Call for Evidence

Copy, previously circulated, presented as read.

Correspondence re: Mineral Policy Review – Call for Evidence

Planning Committee NOTED the correspondence.

7. REPORTS FOR DECISION

7.1 TPO Confirmation – Land approx. 21m NW of 16 Millbrook Gardens, Kilrea

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

Purpose of Report

To present the TPO Confirmation, with Modification, for Lands approximately 21m NW of 16 Millbrook Gardens, Kilrea.

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 12th February 2026.

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

A total of 71no. individual trees and 2no. tree groups were surveyed, of which 63no. trees and 2no. tree groups are considered worthy or suitable for TPO protection.

Options

Option 1: Resolve to confirm the TPO, with modifications, as detailed at paragraph 3.11 above.

Option 2: Resolve not to confirm the TPO.

Recommendation

It is recommended that Members agree to either Option 1 or 2 above.

Proposed by Alderman Coyle

Seconded by Councillor C Archibald

- That Planning Committee agree to Option 1: Resolve to confirm the TPO, with modifications, as detailed at paragraph 3.11 above.

The Chair put the motion to the vote

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

The Chair declared the motion carried.

RESOLVED - That Planning Committee agree to Option 1: Resolve to confirm the TPO, with modifications, as detailed at paragraph 3.11 above.

- * **Councillor Watton left the meeting in the Chamber at 5:12pm**

7.2 Protocol for the Efficient Processing of Planning Applications

Report, previously circulated, was presented by Development Management (local applications) Manager.

Purpose of Report

This Report is to seek agreement to adopt the Efficient Processing of Planning Applications Protocol.

Background

Following the introduction of the new Pre Application Process (PAD) and the Enhanced Validation Checklist it was considered beneficial to implement an Efficient Processing of Applications Protocol as part of the commitment to continuously improve the planning application process.

The purpose of this Protocol is to set out the procedures that will be followed to deliver a more efficient processing system and assist in meeting the statutory planning performance targets. This Protocol sets out a commitment to working together to front load the planning process and provide a more proactive approach in delivering improved planning processes.

The protocol sets out the legislative background for the determination for applications. It promotes engagement throughout the document and advises on the different stages of the application process. The Protocol also provides a commitment on the time frame of processing for each of the stages when a valid and complete application has been received.

Responses

Consultation was carried out with the RTPi and RSUA in December 2025 and feedback was provided at the RTPi and RSUA meeting in January 2026. Further amendments were made and additional consultation was carried out with the RSUA March 2026.

The RTPi responded with the following comments:

- That the Protocol is a positive step.
- Provided a good understanding and level of service to expect.
- Queried if a flow diagram would be of benefit.
- Asked that following meetings if an email be sent for follow up actions.
- Provides for positive engagement.
- Provides clarity of where you are in the process which also assists to manage expectations.

- Asked that timeframes be flexible for updated information (2 weeks) and consultation requests.

The RSUA responded with the following comments:

- That the Council are being an exemplar of engagement through ongoing discussions and that they are committed to being involved in the improvements.
- Welcomed the Council's move away in Version 1.3 to Version 1.4, from a more rigid, rule-based approach towards a more flexible and discretionary one.
- Further changes and additions were also suggested (see Appendix 2) around each of the stages of the protocol which are discussed below.

Following consultation, amendments were made to the document:

- Paragraph 5.2 bullet point 5, removed "only in exceptional circumstances".
- Stage 3 para 6.10 added, placing the onus on the Case Officer to request the information requested by consultees.
- Paragraph 6.10 added that requests for further information will, where possible, be consolidated into a single comprehensive request.
- Paragraph 6.24 removed the following line that we" will not request information that should have been submitted with the application".
- Paragraph added at 6.32 that meeting notes and actions will be sent to the agent.
- Paragraph 6.39 added as requested.
- Diagram of the Planning commitment added.
- Flow chart of the stages of the planning application process added.

In response to Recommendation 1 of the RSUA letter, the Department endeavours to ensure that all stages of the development management process are completed within timescales set out. In the eventuality that case officers are off work for a short period of time we do not have the resources available to reallocate their work and to do so would impact on the time frames for other planning applications. It should be noted that there is also a degree of oversight from the line managers who can action certain stages in the process. When staff are off on extended periods of leave, they are covered through temporary recruitment and or temporary promotion.

Recommendation 2 has been incorporated in the Protocol.

Recommendation 3 is covered in the Protocol in paragraph 6.17.

Recommendation 4 has been included in the Protocol.

Recommendation 5, Review and Learning. To undertake periodic reviews of sample applications, to do so may also identify deficiencies in the submissions

which may have an adverse impact on the professional standing of the agent which we would be unwilling to do. The Planning Department is continually seeking improvements to the process as set out in this Protocol, the new PAD process and the Enhanced Validation Checklist. This has been evident in the increase in the number of applications decided within the Business Plan targets.

Recommendation

It is recommended that the Committee considers the attached protocol for the Efficient Processing of Planning Applications and AGREES to the adoption and publication.

The Chair stated that this protocol will be useful in addressing concerns raised by architects. The protocol does not contain how to review what is causing delays in the planning process but is mindful that targets are being reached. The Chair further stated that the cause of delays should be worked out. The Chair stated that at the meeting between architects and Planning Committee, just prior to the Planning Committee meeting, it was discussed how communication needs to improve between Case Officers and Agents/Architects.

In response to Alderman Coyle the Development Management (local applications) Manager stated that a review of the Protocol can be built into the protocol.

Proposed by Councillor Kane

Seconded by Alderman Coyle

- That the Committee considers the attached protocol for the Efficient Processing of Planning Applications and AGREES to the adoption and publication with the caveat that a review of the Protocol is built into the protocol

The Chair put the motion to the vote

10 Members voted for; 0 Members voted Against; 0 Members Abstained

The Chair declared the motion carried

RESOLVED - That the Committee considers the attached protocol for the Efficient Processing of Planning Applications and AGREES to the adoption and publication with the caveat that a review process of the Protocol is built into the protocol

8. REPORTS FOR NOTING

8.1 Finance Report Period 1 – 11 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 1-11 of 2025/26 business year.

Details

Planning is showing a variance of over £382k favourable position at end of Period 11 based on draft Management Accounts.

The favourable position at the end of Period 11 is due to a favourable position in relation to income from planning application fee and property certificate income of around £261K.

This favourable position is supported by a favourable position of around £8K in salaries and wages and a favourable position in advertisement costs of around £12K, Programme Management Costs £23k, Development Plan £34k and Other Professional Costs £13k.

There are no 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 1-11 of 2025/26 financial year.

RESOLVED - that the Planning Committee considers and notes the content of this report for the Period 1-11 of 2025/26 financial year.

8.2 Third Quarterly Report on Planning Performance 2025/26

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

Purpose of Report

The purpose of this report is to provide a quarterly update on Planning performance against the Planning Department Business Plan 2025/26.

Background

Schedule 4 of The Local Government (Performance Indicators and Standards) Order (Northern Ireland) 2015 sets out the statutory performance targets for the Planning Department for major development applications, local development applications and enforcement cases. The Planning Department Business Plan 2025-26 sets out the key performance indicators to progress towards improving Planning performance against these targets.

The statutory targets are:

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

The Northern Ireland Planning Statistics is an official statistics publication issued by Analysis, Statistics & Research Team within Department for Infrastructure. It provides the official statistics for each Council on each of the statutory targets and is published quarterly and on an annual basis. The Third Quarter 2025/26 Statistical Bulletin was published on 01 April 2026 providing provisional planning statistics for this period.

Details

Website link 1 [Northern Ireland planning statistics October - December 2025 | Department for Infrastructure](#) provides the link to the published bulletin.

Further narrative on performance in relation to the business plan objectives was contained within the report.

Recommendation

It is recommended that the Planning Committee note the Planning Department's Quarterly Report.

RESOLVED - that the Planning Committee note the Planning Department's Quarterly Report.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor C Archibald

Seconded by Councillor Kennedy and

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

* **Members of the Press and Public left the meeting at 5:19pm**

9. CONFIDENTIAL ITEMS

9.1 Planning Fees

Report, previously circulated was presented by Development Management (local applications) Manager.

Purpose

This Report is to provide Members with comparison on the application breakdown by fees between Q3 2024/25 and Q3 2025/26.

Recommendation

It is recommended that the Planning Committee considers and notes the content of this report.

RESOLVED – that Planning Committee notes the content of this report.

10. Any Other Relevant Business (in accordance with Standing Order 12 (o))

There were no items of Any Other Relevant Business.

In response to questions regarding the Antrim Arms Hotel in Ballycastle the Development Management Manager stated that the Planning Department are acting in an advisory role, that Building Control are taking the lead.

MOTION TO PROCEED ‘IN PUBLIC’

Proposed by

Seconded by _____ and

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

This being all the business the meeting closed at 5:25pm

Chair