Causeway Coast & Glens Borough Council

**PLANNING COMMITTEE MEETING HELD**
**WEDNESDAY 28 MAY 2025**

**Table of Key Adoptions**

| No. | Item | *Summary of Decisions* |
|---|---|---|
| **1.** | Apologies | ***Alderman Boyle, Councillors C Archibald, McGurk, MA McKillop. Councillor McGurk later joined the meeting*** |
| | | |
| **2.** | Declarations of Interest | ***Alderman Callan, Hunter, Councillor Kennedy*** |
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| **3.** | Minutes of Previous Planning Committee Meetings | |
| **3.1** | Minutes of Planning Committee Meeting held Wednesday 26 March 2025 deferred from Planning Committee meeting held Wednesday 30 April 2025 | ***Confirmed as a correct record*** |
| **3.2** | Minutes of Planning Committee Meeting held Wednesday 30 April 2025 | ***Confirmed as a correct record*** |
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| **4.** | Order of Items and Confirmation of Registered Speakers | |
| **4.1** | Officer Recommendations to defer Applications | ***That when Planning Officers need to defer an application due to additional information being received this is done at the beginning of the meeting, at this meeting, and at Planning Committee meetings going forward*** |
| **4.2** | LA01/2024/1187/F, Council, Craigahullier Landfill Site, Ballymacrea Road, Portrush | ***Deferred for one month*** |

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| **4.3** | LA01/2022/0791/F, Objection, 57-59 Causeway Street Portrush | ***Deferred for one month*** |
| **4.4** | LA01/2024/1004/F, Referral, Lands 85m North of 91 Killyvally Road, Garvagh | ***Deferred for one month*** |
| **4.5** | LA01/2024/0666/S54, Referral, 16 Moneybrannon Road and Land to the rear of 18 and 20 Moneybrannon Road, Aghadowey, Coleraine | ***Deferred for a Site Visit*** |
| **5.** | Schedule of applications | |
| **5.1** | LA01/2022/1567/F, Major, Lands approximately 615m E of 16 Coolkeeran Road, Armoy, in townlands of Kilcroagh and Carrowlaverty, approx 2.5km SE of Armoy | ***Disagree and approved*** |
| **5.2** | LA01/2024/1064/F, Major, Lands to the South and South East and adjoining 63 Kilraughts Road, Ballymoney | ***Agree and Approved*** |
| **5.3** | LA01/2022/0779/F, Referral, Land at 200 metres Northwest of no. 293 Drumsurn Road, Drumsurn, Limavady | ***Deferred for one month*** |
| **5.4** | LA01/2023/0582/O, Referral, Land 25m East of 62 Ballywoodock Road, Castlerock | ***Deferred for a Site Visit*** |
| **5.5** | LA01/2023/0583/O, Referral, Land 30m West of 68 Ballywoodock Road, Castlerock | ***Deferred for a Site Visit*** |
| **5.6** | LA01/2023/0692/O, Referral, Between 88 & 90 Haw Road, Bushmills | ***Deferred, pending Advice*** |
| **5.7** | LA01/2024/0170/O, Referral, Approximately 35m South West of 344 Craigs Road Rasharkin | ***Deferred, pending Advice*** |
| **5.8** | LA01/2024/0172/O, Referral, Approx. 75m South West of 344 Craigs Road Rasharkin | ***Deferred, pending Advice*** |
| **5.9** | LA01/2023/0954/F, Referral, Land South of & Opposite 2-14 Circular Road & North of The Mall car park, Coleraine | ***Disagree and approved*** |
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| **6.** | Correspondence | |
| **6.1** | DfI – Transforming Planning – Appointed Person, Independent Inspectors Project | ***Noted*** |
| **6.2** | DfI – Chief Planners Role | ***Noted*** |
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| **7.** | Reports for Decision | |

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| **7.1** | Implementation of Statutory Validation Checklist | ***That the Committee considers the attached validation checklist and AGREES to the implementation of the statutory validation checklist and associated Development Management Information Note 10 attached at Appendix 1 and 2, previously circulated*** |
| **7.2** | Housing Research Study – Workshop | ***That Planning Committee note the content of this Report and agree to a workshop to discuss the first phase findings prior to UU commencing the next phase of the Study*** |
| **7.3** | Planning Department Business Plan 2025/26 | ***That Planning Committee APPROVE the Planning Department Business Plan 2025/26.***<br><br>***That a more streamlined process be implemented to eliminate duplication of presenting reports to both Corporate Policy & Resources Committee and Planning Committee.*** |
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| **8.** | Reports for Noting | |
| **8.1** | Finance Report – Period 1-12 | ***Noted*** |
| **8.2** | BT Kiosk/Service Removal | ***That Development Plan Manager write to BT and HED to request for listing of Red Boxes*** |

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| **9.** | Confidential Items | |
| **9.1** | Verbal Update on Legal Issues | ***Information*** |
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| **10.** | Any Other Relevant Business (in accordance with Standing Order 12 (o)) | ***None*** |



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS AND VIA VIDEO CONFERENCE ON WEDNESDAY 28 MAY 2025 AT 10.32AM**

**Chair:** Alderman Hunter (C) {Items 1-5.5, 5.7-10}
Councillor Watton, Vice Chair (C) {5.6}

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

**Officers Present:** D Dickson, Head of Planning (C)
S Mathers, Development Management and Enforcement Manager (C)
J Lundy, Development Management Manager (C)
M McErlain, Senior Planning Officer (C)
R Beringer, Senior Planning Officer (C)
E Olphert, Higher Professional and Technical Officer (C)
I Owens, Committee & Member Services Officer (R/C)
J Keen, Committee & Member Services Officer (C/R)

**In Attendance:** M Gillespie, Landscape Officer, NIEA (R)

C Ballentine, ICT Officer (C/R)
L Boyd, ICT Officer (C/R)

Press 1 no. (R)
Public 23 no. including Speakers

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

**Registered Speakers**

| Item No | Name |
|---|---|
| LA01/2022/1567/F | Cllr Bill Kennedy<br>Stewart Beattie KC<br>Thomas Bell<br>Patricia McGrath<br>Richard Cole<br>Michael Gillespie |
| LA01/2022/0779/F | Nick Lamb |
| LA01/2023/0692/O | John Simpson |
| LA01/2023/0954/F | Mark Hanvey<br>Claire Cowan<br>Oliver Pankhurst |

The Head of Planning undertook a roll call.

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

## 1. APOLOGIES

Apologies were recorded for Alderman Boyle, Councillors C Archibald, McGurk, MA McKillop. Councillor McGurk later joined the meeting.

## 2. DECLARATIONS OF INTEREST

Councillor Kennedy declared an interest in Item LA01/2022/1567/F, Major, Lands approximately 615m E of 16 Coolkeeran Road, Armoy, in townlands of Kilcroagh and Carrowlaverty, approx 2.5km SE of Armoy. Having declared an interest Councillor Kennedy left the meeting and did not vote on the item.

Alderman Callan declared an interest in Item LA01/2023/0954/F, Referral, Land South of & Opposite 2-14 Circular Road & North of The Mall car park, Coleraine. Having declared an interest Alderman Callan left the meeting remotely and did not vote on the item.

Chair, Alderman Hunter declared an interest in Item LA01/2023/0692/O, Referral, Between 88 & 90 Haw Road, Bushmills. Having declared an interest Alderman Hunter left the meeting and did not vote on the item.

## 3. MINUTES OF PREVIOUS PLANNING COMMITTEE MEETINGS

**3.1 Minutes of Planning Committee Meeting held Wednesday 26 March 2025 deferred from Planning Committee Meeting held Wednesday 30 April 2025.**

Proposed by Councillor McMullan
Seconded by Alderman Scott
– That the Minutes of the Planning Committee Meeting held Wednesday 26 March 2025 deferred from Planning Committee Meeting held Wednesday 30 April are signed as a correct record.

The Chair put the motion to the vote.
10 Members voted For; 0 Members voted Against; 2 members Abstained.
The Chair declared the motion carried.

**RESOLVED** – That the Minutes of the Planning Committee Meeting held Wednesday 26 March 2025 deferred from Planning Committee Meeting held Wednesday 30 April are signed as a correct record.

**3.2 Minutes of Planning Committee Meeting held Wednesday 30 April 2025**

Proposed by Councillor Watton
Seconded by Councillor Storey
- That the Minutes of the Planning Committee Meeting held Wednesday 30 April 2025 are signed as a correct record.

The Chair put the motion to the vote.
10 Members voted For; 0 Members voted Against; 2 Members Abstained.
The Chair declared the motion carried.

**RESOLVED** – That the Minutes of the Planning Committee Meeting held Wednesday 30 April 2025 are signed as a correct record.

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

**4.1 Officer Recommendations to defer Applications**

Proposed by Alderman Callan
Seconded by Councillor Watton
- That when Planning Officers need to defer an application due to additional information being received this is done at the beginning of the meeting, at this meeting, and at Planning Committee meetings going forward

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 when Planning Officers need to defer an application due to additional information being received this is done at the beginning of the meeting, at this meeting, and at Planning meetings going forward

## 4.2 LA01/2024/1187/F, Council, Craigahullier Landfill Site, Ballymacrea Road, Portrush

Development Management Manager presented as follows:

- Use of existing waste transfer station to allow for storage and transfer of dry recyclables and mixed municipal wastes due to closure of existing landfill site. (Amendment to planning permission (C/2002/1040/F – Shed for the storage and transfer of dry recyclables.)

- A Council application that was deferred previously to address landownership queries. Following deferral 2 objections were received with the latest received yesterday. It raises new material information that requires further assessment, we are recommending that the application is deferred for one month to allow this consideration and consultation.

Proposed by Alderman Scott
Seconded by Councillor Anderson
- That Planning Committee defer LA01/2024/1187/F, Council, Craigahullier Landfill Site, Ballymacrea Road, Portrush for one month to allow Planning Officers to complete consultations in relation to the further objections received

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 defer LA01/2024/1187/F, Council, Craigahullier Landfill Site, Ballymacrea Road, Portrush for one month to allow Planning Officers to complete consultations in relation to the further objections received

## 4.3 LA01/2022/0791/F, Objection, 57-59 Causeway Street Portrush

Development Management Manager presented as follows

- The above application is an objection item previously deferred to allow the submission of a light and shadow assessment and again deferred to allow further information relating to the assessment to be submitted and consulted.

- Addendum 2 has been circulated setting out the officer's assessment of the light studies submitted by both the agent and the objector.

- It has been noted that we have misinterpreted the agents' light study where it relates to the rear patio within Addendum 2. Therefore, we are seeking deferral to allow reconsideration of the light assessment and any potential impact on the rear of the neighbouring property.

Proposed by Councillor Kennedy
Seconded by Alderman Scott
- That Planning Committee defer LA01/2022/0791/F, Objection, 57-59 Causeway Street Portrush for one month to allow Planning Officers to give further consideration to the light and shadow assessment.

In response to questions the Development Management Manager clarified that Planning Officers had misinterpreted a small area of the light and shadow assessment, this had been set out incorrectly in Addendum 2 and requires further consideration.

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 defer LA01/2022/0791/F, Objection, 57-59 Causeway Street Portrush for one month to allow Planning Officers to give further consideration to the light and shadow assessment.

**4.4 LA01/2024/1004/F, Referral, Lands 85m North of 91 Killyvally Road, Garvagh**

Development Management Manager presented as follows:

- LA01/2024/1004/F is a full application for Erection of dwelling & garage and all associated works (change of house type from that approved under C/2010/0029/F - based on material start made to the site and as per visible orthophotography) at lands 85m North of 91 Killyvally Road, Garvagh.

- 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 at the April Committee Meeting to allow members to consider the details of the application further.

- Following deferral of the application at the April Planning Committee, additional information from the agent (21.05.2025) and a further letter of objection (25.05.2025) has been received.

- The additional information submitted outlines that built elements have been discovered on site by the applicant, consisting of a 250mm pile on the placement of the previously approved dwelling and a 500mm diameter pipe that is located on the NW (northwest) portion of the site. Photographs have been submitted to document these elements. The agent advises that they are seeking to provide further information in relation to these features. Neighbour notification provides a time frame for comment of 14 days from the date of notice and was carried out 23rd May 2025.

- To allow for the submission of further information by the agent, await the closure of the public notification period and allow the assessment of the submitted information, it is recommended that the application is deferred until the matter has been fully assessed.

Proposed by Councillor McMullan
Seconded by Councillor Watton
- That Planning Committee defer LA01/2024/1004/F, Referral, Lands 85m North of 91 Killyvally Road, Garvagh to allow the Agent to submit more information on the material start made at the site.

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 defer LA01/2024/1004/F, Referral, Lands 85m North of 91 Killyvally Road, Garvagh to allow the Agent to submit more information on the material start made at the site

The Chair enquired if there were any proposals for Site Visits.

**4.5 LA01/2024/0666/S54, Referral, 16 Moneybrannon Road and Land to the rear of 18 and 20 Moneybrannon Road, Aghadowey, Coleraine**

Proposed by Councillor Kennedy
Seconded by Councillor Anderson
- That Planning Committee defer LA01/2024/0666/S54, Referral, 16 Moneybrannon Road and Land to the rear of 18 and 20 Moneybrannon Road, Aghadowey, Coleraine for a site visit as there are 5 houses on the site, it is Councillor Kennedy's understanding that 25 houses or more are required for open space to be provided and would like to see the site to see why open space is required.

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 defer LA01/2024/0666/S54, Referral, 16 Moneybrannon Road and Land to the rear of 18 and 20 Moneybrannon Road, Aghadowey, Coleraine for a site visit as there are 5 houses on the site, it is Councillor Kennedy's understanding that 25 houses or more are required for open space to be provided and would like to see the site to see why open space is required.

## 5. SCHEDULE OF APPLICATIONS

*** Having declared an interest Councillor Kennedy left the Chamber during consideration of the following item**

### 5.1 LA01/2022/1567/F, Major, Lands approximately 615m E of 16 Coolkeeran Road, Armoy, in townlands of Kilcroagh and Carrowlaverty, approx 2.5km SE of Armoy

Report, addendum, erratum, letters of support, correspondence from the agent, speaking rights and presentation, were previously circulated. The application was presented by Development Management and Enforcement Manager.

**Major Application to be determined by Planning Committee**
**App Type:** Full Planning
**Proposal**: Construction of a wind farm comprising 5no. wind turbines (maximum 150 metres to blade tip), an electrical substation / control building, battery energy storage (BES) area, construction compound, delivery route junction improvements at exit Off A26 Frosses Road / A44 Drones Road Roundabout onto the A44 Drones Road; A44 Hillside Road / Magheramore Road / B5 Lagge Road Junction; and B15 Coolkeeran Road, a new access onto the Coolkeeran Road and all associated ancillary works

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

Development Management and Enforcement Manager presented via powerpoint as follows:

- This proposal, for a new wind farm, is for 5 wind turbines, each with a tip height of 150m producing up to a total of 25 MW. The site has planning history for a refused scheme of 6 turbines. This was dismissed on appeal in January 2020. Relative to the refused scheme: the highest wind turbine has been deleted; the siting has varied slightly and; the base height of 4 has been increased with 1 decreased. The proposal includes a small Battery Energy Storage System (BESS), a control building with substation compound and a new site entrance from Coolkeeran Road.

- As indicated in the Northern Area Plan 2016, the site is located just outside the Antrim Coast and Glens AONB. The Northern Area Plan 2016 is silent on the matter of wind farm development. Therefore, regional polices apply.

- As this is a major planning application, it was preceded by a PAN accompanied by a community consultation report together with a Design and Access Statement.

- As this proposal is EIA development, it was accompanied by an Environmental Statement.

Main Issues

- Public Safety/ Human Health & Residential Amenity- The fall over distance from public roads is met. Concerning the separation distance to occupied property, there are 23 dwellings within 10 times the rotor diameter area of 1385m (including allowance for micro-siting). However, applying the logic of the Planning Appeals Commission in the previous appeal, which used a 500m distance threshold, the separation distances are acceptable. In terms of noise, Environmental Health was content with the effect of the proposal on all properties. Given the separation distance, the maximum potential for shadow flicker at any dwelling is likely to be within guidance limits.

- Visual Amenity/ Landscape Character- The proposal is located approximately 1km outside the Antrim Coast and Glens AONB. NIEA Countryside Coast and Landscape Team advise the proposal will impact key views from the immediate lowland landscapes to the west. These critical views include those from Bregagh Road, the A44 Drones Road and the grounds of Armoy Rugby Club at which photomontages have been provided by the Agent. From these views, by reason of the siting and scale of the turbines relative to the scale and form of the landscape, the proposal would have an unacceptable adverse impact on visual amenity and landscape character. The proposal would appear visually imposing and particularly stark on the landscape. In the previous scheme, all of these views were identified as being critical by the PAC. NIEA

Countryside Coast and Landscape Team advise the landscape surrounding an AONB performs an important function by providing context, particularly in views to and from an AONB. Specific to this proposal, they advise it would have an unacceptable and significant adverse impact on the landscape character, visual amenity and integrity of the Antrim Coast and Glens AONB. The Planning Department agrees with this assessment.

- Natural Heritage- Consideration has been given to a range of issues such as priority habitat (including blanket bog), the presence of badgers, birds, bats and impacts on the water environment. Through the submission of various reports, consultation with the relevant authorities and the use of specific conditions (in the event of the application being approved) the proposal is considered acceptable in this respect.

- Built Heritage- DfC Historic Environment Division has assessed the proposal relative to built heritage assets. The previous scheme was refused, in part, due to the adverse effect the proposal would have on the setting of Armoy Round Tower, a regionally important monument in state care. However, this reason for refusal was not sustained on appeal. Accordingly, Historic Environment Division acknowledge refusal in this instance is unlikely to be sustainable. The Planning Department agrees with this position.

- Other Issues- No unacceptable issues are arising regarding water quality, peat slide, telecommunications or aviation safety

- Economic, Environmental and Social Benefits- The proposal offers significant economic and environmental benefits. These include: substantial rates revenue and; a contribution towards meeting the 80% renewable energy by 2030 target set by the Climate Change (NI) Act 2022. The SPPS requires these benefits to be given “appropriate weight”. On balance, while given significant weight in this instance, it is not considered that these benefits decisively outweigh the unacceptable adverse impacts on visual amenity and landscape character, including on the setting of the Antrim Coast and Glens AONB. These unacceptable adverse impacts are determining in our recommendation.

- Representations- The detail of representations are considered in the report.

- Amended Scheme- Consideration has been given to whether changes to the scheme could make it acceptable- for example, fewer turbines, smaller turbines or repositioning. However, as the principle of wind farm

development is considered unacceptable on the site, such changes were not requested.

- Conclusion - Having regard to the relevant issues, the proposal is not considered to comply with policy. Therefore, refusal is recommended.

The Chair invited questions from Elected Members for the Officer.

In response to questions the Development Management and Enforcement Manager referred to paragraphs 8.81 to 8.85 in the Planning Committee report and citied paragraph 8.83 to explain the judgement of the Planning Department in relation to what information is given significant weight. Development Management and Enforcement Manager stated that the Planning Department looked in detail at the High Court judgment and does not contest the benefits of the wind farm, but the visual amenity and character is so significant it outweighs the benefits. Development Management and Enforcement Manager citied from the High Court judgment, referred to permissible policy and stated that this site is not acceptable.

In response to further questions the Development Management and Enforcement Manager acknowledged the targets set in the Climate Change (NI) Act and stated that planning applications are considered in line with the Planning Act, that applications must be assessed in line with policy and weigh in other material considerations. Development Management and Enforcement Manager explained that the Historic Environment Division rejected the previous application at the Round Tower, the Planning Appeals Commission did not sustain this refusal reason, and the Planning Department did not include this in the refusal reasons for this application.

In response to questions about how to weigh up the various considerations such as environmental, social, economic, the Development Management and Enforcement Manager citied from paragraph 79 of the High Court judgment in relation to damage to the landscape and protection of the environment.

The Chair invited Councillor Kennedy back into The Chamber to speak in support of the application.

Councillor Kennedy expressed his support of the application. Councillor Kennedy stated this is a project that has been ongoing for many years, there is local cross community support for the project and there are social and economic opportunities for the area. Councillor Kennedy referred to the Planning Committee Report stating that it gives little regard to the social and economic importance of the project and that the report is unfairly dismissive of the benefits to the community. Councillor Kennedy referred to the letters of support for this application stating they mention the role of renewable energy

and the economic benefits and continued to mention some of the benefits to the area including the financial investment, rates paid to the Council, contracts, accommodation and the contribution to clean energy in Northern Ireland.

There were no questions for the speaker.

The Chair invited S Beattie KC, B Rolston, P McGrath and R Cole to speak in support of the application.

S Beattie KC stated that Justice Scoffield has promoted the urgent need for renewable energy, and that Section 52 of the Climate Change Act sets out targets to increase renewable energy by 80% by 2030. S Beattie stated this is a substantial change in policy and it is disappointing this is not in the Committee report. S Beattie citied from paragraph 8.81 of the Committee report and stated the benefits mentioned have never been challenged and it would be inappropriate not to consider these. S Beattie KC stated material considerations need to be considered and balance given to them, that it does not need to be decisive.

T Bell stated that since refusal of the application there has been a single issue which is the visual impact on the landscape. T Bell stated that the most elevated turbine has been removed from the application and that the true context has not been given, it fails to undertake an objective balancing decision. T Bell stated that the Committee report uses 27 paragraphs to state why the application is unacceptable and only 3 to state the benefits. T Bell stated that the application site is not within the Area of Outstanding Natural Beauty and that there is exceptional local support. T Bell stated we are in a climate emergency.

In response to questions T Bell stated that there have been 3 main changes post the Planning Appeals Commission ruling which are:

1. there has been 1 turbine removed to reduce the scheme
2. the site has been moved 2km to the west of the Area of Outstanding Natural Beauty
3. Climate change targets are now 80% renewable energy and net zero

S Beattie KC stated that the Judicial Review challenge on the Planning Appeal Commission decision has not been accepted and is unlawful. S Beattie KC stated that it is in legislation that Government Departments are to meet the minimum targets for climate change, the changes that the Climate Change Act imposes is similar to the Human Rights Act. S Beattie KC stated that the applicant has reduced the scheme.

In response to questions T Bell stated that the Environmental Impact Assessment considered the tourism industry in the area and found that it would

not be detrimental and that the Planning Department agree with this. T Bell referred to the presentation slide which showed Critical Viewpoint 3 and stated that the impact was low.

In response to the same question about tourism S Beattie KC stated he understood the conflict the Councillors face and acknowledged this is a material consideration. S Beattie KC stated there is no evidence to show there would be a negative impact on tourism.

In response to further questions S Beattie KC stated that under Environmental Impact Assessment Regulations the public are allowed to see what the applicant has to say and that the assessments have been undertaken by independent experts who have worked to accepted industry standards. S Beattie KC stated that an economic impact statement has been provided and this can be challenged. S Beattie KC stated that the environmental statement is part of the application process, the counter point in economics is unchallenged and regard can be given to the public support for the scheme. S Beattie KC stated that the visual impact has been carried out and that he does not accept the harm that has been pointed out by the Planning Department, he accepts the environmental statement. S Beattie KC stated that Justice Scoffield was correct in that like for like cannot be compared. S Beattie KC stated that considering the balance of information is a legally sound decision, and that decisively outwaying is not the test.

P McGrath confirmed independent, external experts had been used to complete assessment which were in line with the Treasury and Department of Finance measures. P McGrath stated she has vast experience in the industry, that considerable investment has been made to deliver the project, and everything has been as comprehensive as possible to make the right decision.

In response to questions the Head of Planning stated that all the relevant information can be accessed on the Planning Portal and that it is referenced in the report.

Councillor Storey requested to hear form the representative online regarding his assessment of the site.

R Cole stated that the site is on the less sensitive part of the landscape, that in terms of character this is a suitable site with views of the Area of Outstanding Natural Beauty. R Cole stated that the wind turbines are a tight cluster that do not spread onto the Area of Outstanding Natural Beauty and that this area remains unchanged.

Development Management and Enforcement Manager referred to the Climate Change NI Act and the targets contained within it and stated that paragraph

8.105 in the Committee report lists the approvals of wind farms in the Borough which are yet to be built. Development Management and Enforcement Manager stated that the Planning Department are aware of the targets and are doing their bit to meet them. Development Management and Enforcement Manager stated that the Northern Ireland Environment Agency do not accept the visual impact assessment.

The Chair confirmed that the Northern Ireland Environment Agency representative was in attendance remotely and invited them to address the Committee.

M Gillespie introduced himself as a Landscape Officer with Northern Ireland Environment Agency. M Gillespie stated that the proposal is deemed unacceptable by the Northern Ireland Environment Agency as it is 1km form the boundary of the Area of Outstanding Natural Beauty, it is in the transition zone, close to the boundary and is likely to impact on the Area of Outstanding Natural Beauty.

There were no further questions posed by Elected Members.

The Chair citied the recommendation.

Proposed by Councillor Storey
Seconded by Alderman Stewart
- That the Committee has taken into consideration and disagrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to Approve planning permission for the reason set out in section 9 for the following reasons

- Reasons are covered by the commentary received from the representatives during the meeting.
- Concur with the commentary from Councillor Kennedy, the economic benefits are comprehensive.
- The benefits outway the concerns of visual impact.
- The company's visual impact assessment shows this is a less sensitive and more suitable site.
- Taken into consideration Council applications that have previously been approved show that meeting the needs required for energy have been taken seriously.
- This scheme has reduced in size from the previous application.
- Comments from Mr Beattie are significant when it is said there is a substantial change in policy, only 5 years away from the target date
- The habitats management is acceptable in the report
- The economic and environmental benefits are acceptable as are the visual impact assessment

- In relation to SPPS and policy RE1 of PPS18 it has been demonstrated the application will not result in any adverse impact on visual amenity in terms of size, scale and siting.

The Chair put the motion to the Committee to vote.
10 Members voted For; 1 Member voted Against; 0 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 the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to Approve planning permission for the reason set out in section 9 for the following reasons

- Reasons are covered by the commentary received from the representatives during the meeting.
- Concur with the commentary from Councillor Kennedy, the economic benefits are comprehensive.
- The benefits outway the concerns of visual impact.
- The company's visual impact assessment shows this is a less sensitive and more suitable site.
- Taken into consideration Council applications that have previously been approved show that meeting the needs required for energy have been taken seriously.
- This scheme has reduced in size from the previous application.
- Comments from Mr Beattie are significant when it is said there is a substantial change in policy, only 5 years away from the target date
- The habitats management is acceptable in the report
- The economic and environmental benefits are acceptable as are the visual impact assessment
- In relation to SPPS and RE1 of PPS18 it has been demonstrated the application will not result in any adverse impact on visual amenity in terms of size, scale and siting.

**RESOLVED –** That conditions and informatives are delegated to Officers

*** The Chair declared a recess for lunch at 12:18pm**
*** The meeting reconvened at 1:00 pm**
**The Head of Planning undertook a roll call.**

**5.2 LA01/2024/1064/F, Major, Lands to the South and South East and adjoining 63 Kilraughts Road, Ballymoney**

Report and presentation was previously circulated.

The application was presented by the Development Manager and Enforcement Manager.

**Major Application to be determined by Planning Committee**
**App Type:** Full Planning
**Proposal:-** Proposed change of use of existing farmlands and expansion of established/historic Ballymoney Rugby Club to accommodate 3 no. grass pitches/practice areas with betterment to existing access and all-weather parking area, consolidation of pitches/surfaces and associated site works

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

The Development Manager and Enforcement Manager presented as follows:

- The proposal comprises the provision of three additional grass pitches to the east of the existing site together with additional and improved parking provision. No new building is included in the proposal. The proposal will extend the total number of pitches at Ballymoney Rugby Club to 6.

- In terms of the Northern Area Plan 2016, the site is located in the open countryside beyond the settlement development limit of Ballymoney. The Northern Area Plan does not contain specific policies on sports facility development, rather directing to regional policies- specifically PPS 8 Open Space, Sport and Outdoor Recreation.

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

- Principle of Development - The Policy OS 3 referring to outdoor recreation in the countryside is the lead policy in assessment of this proposal- the detail of which is set out in the report.

- Access/Parking - The existing access to Kilraughts Road adjacent the clubhouse is to be used. One of the existing parking areas is to be extended and an additional area of parking provided. The proposal comprises a total of 178 car park spaces and 3 coach spaces. Given the proximity of the A26 and to prevent the hazard of an errant vehicle, a vehicle containment system comprising specific kerbing is required. The site benefits from an existing connecting footpath to Ballymoney.

- Amenity - The nearest residential properties to the proposal are to the north at Kilraughts Road. The closest property is no. 75A, 105 metres away. The Environmental Health Department was consulted regarding noise. Given the high background noise from the A26 Frosses Road, no unacceptable noise impacts are anticipated. No floodlighting is proposed.

- Visual Amenity - Given the setback from Kilraughts Road and intervening hedge boundaries, the proposal will have little visual impact. Given the well treed embankment on the A26 Frosses Road, the proposal is unlikely to be perceptible from there.

- Lignite Resource Area - The site is located in Designation COU 5 Lignite Resource Area. This was designated due to its recognition as an important and valuable mineral resource. Geological Survey were consulted and advised that as the site is adjacent a major road junction and adjacent existing surface development, there is no concern with the proposal relative to this policy.

- No representations were received on the application.

- Conclusion - Proposal is considered acceptable and the recommendation is to approve subject to conditions.

The Chair invited questions from Elected Members for the Officer.

Proposed by Councillor Storey
Seconded by Alderman S McKillop
-That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **GRANT** planning permission subject to the conditions set out in section 10.

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

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

**5.3 LA01/2022/0779/F, Referral, Land at 200 metres Northwest of no. 293 Drumsurn Road, Drumsurn, Limavady**

Report, presentation, addendums, erratum, speaking rights template, correspondence from agent and site visit report was previously circulated.

The application was presented by Development Management Manager.

**Referral Application to be determined by Planning Committee**
**App Type:** Full Planning
**Proposal**: A new one and a half storey dwelling on a farm. With associated ancillary works and water treatment system.

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

**Addendum Recommendation**
That the Committee note the contents of this Addendum and agree with the recommendation to refuse the application as set out in Section 1 of the Planning Committee report.

**Addendum 2 Recommendation**
It is recommended that the Committee note the contents of this Addendum and agree to refuse planning permission in accordance with Refusal Reasons 1, 2 and 3 of Section 10 of the Planning Committee Report.

Development Management Manager presented via powerpoint presentation as follows:

- Full planning permission is sought for a one and a half storey dwelling on a farm

- The site is located on land 200 metres Northwest of no. 293 Drumsurn Road, Drumsurn

- An erratum was previously submitted amended the site address on the Planning Committee Report, a note of the site visit and addenda have also been previously provided.

- The application was presented initially with a recommendation to refuse in that the proposal failed to meet the criteria for the principle of development under Policies CTY10 and CTY 13 as the proposal fails to visually link or cluster with a group of buildings on the farm. The recommendation was overturned by Planning Committee subject to the Flood Risk Assessment being submitted.

- Prior to the submission of the FRA objections were received from 2 different addresses. The objection raised new material considerations that were not previously before the Committee. The application has been returned to Committee to allow consideration of the points raised as set out in Addendum 2.

- The points of objection set out in para 1.4 of the addendum 2, relate to flood risk concerns, concerns of flood impact to their land, potential infilling of a flood plain, loss of privacy/overlooking, siting of dwelling not beside the farm buildings and impacts on wildlife.
- (Slide)The site bound to the west by the watercourse.
- (Slide) The site in context with the farm buildings to the east.
- (Slide) The existing access
- (Slide) Showing the site with views from the Drumsurn Road
- (Slides) Showing the floor plans and the elevations
- (Slide) Showing the strategic flood and surface water flooding.
- (Slide 8) Submitted plan of the FRA showing the house outside the modelled FRA shown in the blue, the blue arrows depict the surface water flooding.
- DFI Rivers as the competent authority is content that the development is outside the flood plain and the proposal meets with planning policy FLD 1 of PPS 15. The objectors points in relation to infilling were also noted by DFI Rivers on their site visit. The agent and applicant deny any inflling in the flood plain; DFI Rivers advised that it does not have any ground levels at the site other than those supplied in the application and therefore can't prove or disprove claims of flood plain infilling.

- The fourth refusal reason set out in the Planning Committee Report has been withdrawn.

- A Preliminary Ecological Assessment was also submitted and NED are content subject to condition.

- The objectors dwellings is across the water course and as set out in the addendum sufficient separation exists to ensure no detrimental impact on amenity.

- That concludes my presentation of the new material considerations that received since the 2024 Planning Committee meeting, if you have any questions at this stage?

The Chair invited questions for the Officer.

There were no questions put to the Officer.

The Chair invited N Lamb to speak in support of the application.

N Lamb advised that this application was approved in principle in February 2024 accepted paragraph 2.5 of Planning Committee Report and said policy was met. The flood risk was accepted by Planning Authority as stated in Addendum and refusal associated with flood plain have been withdrawn. There has been no material change to application approved in February 2024 and asked for approval to be formalised.

The Chair invited questions from Elected Members for the speaker.

There were no questions put to the speaker.

At the request of an Elected Member the Development Management Manager explained the reason for the application being brought back to Planning Committee for consideration is due to 4 objections being received since being approved on principle in February 2024. The Development Management Manager referred to the Elected Member to the relevant Addendum in the planning papers.

The Chair advised Committee the application would not have been tabled for the Planning Committee if no objections had been received in the intervening period.

Proposed by Councillor Nicholl
Seconded by Councillor Kennedy
-That the application LA01/2022/0779/F, Referral, Land at 200 metres Northwest of no 293 Drumsurn Road, Drumsurn, Limavady is deferred for one month for consideration to be given to the objections received.

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

**RESOLVED** -That the application LA01/2022/0779/F, Referral, Land at 200 metres Northwest of no 293 Drumsurn Road, Drumsurn, Limavady is deferred for one month for consideration to be given to the objections received.

*** Alderman Callan joined the meeting in the Chamber at 13.20 pm, having previously attended remotely.**

**5.4 LA01/2023/0582/O, Referral, Land 25m East of 62 Ballywoodock Road, Castlerock**

Report, presentation, Addendum and Erratums were previously circulated.

The application was presented by Senior Planning Officer M McErlain.

**Referral Application to be determined by Planning Committee**
**App Type:** Outline Planning
**Proposal:** Proposed 1no. 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 conditions set out in section 10.

**Addendum Recommendation**
That the Committee note the contents of this Addendum and agree with the recommendation to refuse the application as set out in Section 1 of the Planning Committee report.

**Erratum Recommendation**
That the Committee agrees with the recommendation to refuse as outlined in paragraph 1.0 of the Planning Committee Report.
There were no questions for the Senior Planning Officer.

The Senior Planning Officer presented via powerpoint as follows:-

- LA01/2023/0582/O is an outline application for the provision of 1no. infill dwelling at Land 25m East of 62 Ballywoodock Road, Artidillon, Castlerock.

- 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 allow members to consider legal advice in relation to infill dwellings.

- 1 objection has been received in relation to this application.

- The site is located in the rural area as defined in NAP2016 - the site is not located within any environmental designations.

- (Slide) The application site as defined by the red line boundary comprises an irregular shaped plot which forms the south-western corner of a wider agricultural field and abuts the Ballywoodock Road. The western boundary of the site is defined by hedgerow while the southern roadside boundary is delineated by post and wire fencing and a low level bank. The remaining boundaries are undefined.

- 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 this respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements.

- (Slide) To the west of the application site is a dwelling and associated outbuildings at No. 62 Ballywoodock Road. To the east of the application site are the dwellings at Nos. 68 and 70, which are separated from the application site by the remainder of the agricultural field frontage which comprises the extent of current planning application LA01/2023/0583/O.

- All of the aforementioned plots have a direct frontage onto Haw Road. It is therefore accepted that there is a substantial and continuously built-up frontage at this location.

- For clarification - A further dwelling sits immediately to the north east of No. 70 at No. 17 Dunboe Rd. However, this property does not have a direct frontage onto Ballywoodock Road and consequently does not form part of the substantial and continuously built up frontage along Ballywoodock Road.

- The average frontage measurement along the substantial and continuously built-up frontage is 32.9m.

- 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. 62 and No. 68 is approximately 152m.

- When assessed against the average plot widths along the frontage, the gap is capable of accommodating 4 dwellings.

- As the gap can accommodate 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 size of the plots within the built-up frontage = 1880 square metres, although it is noted that plot sizes vary significantly within the frontage.

- The application site has a plot area of approximately 2900 square metres which, while being smaller than the largest plot in the frontage is significantly larger than the average plot size and the majority of plots in the 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.

- Additionally, the infilling of this site would add to existing development along the road frontage, further eroding the rural character and resulting in the creation of ribbon development, which is detrimental to the character, appearance and amenity of the countryside.

- Given the proposed development does not represent a small gap site capable of accommodating a maximum of two dwellings, is not reflective of the established pattern of development within the frontage and would result in the creation of ribbon development along Ballywoodock Road the application fails to comply with Paragraph 6.73 of the SPPS and Policy CTY8.

- Additionally, as the proposal is not reflective of the established pattern of development within the frontage and would result in the creation of ribbon development along Ballywoodock Road the application fails to comply with Paragraph 6.70 of the SPPS and Policy CTY14.

- As this is an outline application no detailed plans have been submitted regarding the design of the dwelling.

- Views of the application site are obtained over a relative short distance on approach in both directions along Ballywoodock Road.

- (Slide) On approach from the west along Ballywoodock Road, views of the site appear when in close proximity to no. 62 while on approach from the east views become attainable when immediately accessing the Ballywoodock Road at its junction with Dunboe Road.

- (Slide) From these approaches and when passing the site frontage the application site will be readily visible with lack established natural boundaries ensuring direct and sustained views of the site.

- (Slide) From these critical viewpoints, the extent of gap between buildings is clearly evidence and highlights the importance of the visual break

between the buildings within the frontage in maintaining the rural character of the area.

- Given the lack of mature vegetation to the existing site boundaries the application site lacks a suitable degree of screening or enclosure to allow a dwelling to satisfactorily integrate. This issue will be further compounded due to large amounts of the roadside vegetation being removed to facilitate the necessary access arrangements.

- As the proposed dwelling would fail to satisfactorily integrate within the landscape the proposal fails to comply with Paragraph 6.70 of the SPPS and Policy CTY13 of PPS21.

- (Slide) View of the application site frontage. You will note the sporadic nature of the roadside vegetation which, as mentioned earlier, would largely be required to be removed to facilitate access arrangements. Again, you can perceive the size of the gap to development to the east of the site.

- (Slide) View of the application site when viewed from the east when passing No. 68. Again, the extent of gap between buildings is evidence and highlights the importance of the visual break between the buildings within the frontage in maintaining the rural character of the area

- (Slide) View of the application site from the site frontage.

- (Slide) Established boundary of No. 62 to the western site boundary and undefined boundaries to the north and eastern boundaries.

- Consultation was carried out with DFI Roads, Environmental Health, NI Water, DAERA Water Management Unit, and City of Derry Airport 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 that the application site is does not constitute a small gap site within an otherwise substantial and continuously built-up frontage, would result in the creation of ribbon of development along Ballywoodock Road and would fail to satisfactorily integrate.

- In addition, no overriding reasons have been forthcoming as to why the development is essential, therefore the proposal is contrary to policy CTY1. Refusal is recommended**.**

An Elected Member said that they was cognisant with issues raised by Judicial Review in relation to infill issues and raised concern that there were 5 such applications tabled for today with up to 20 in the planning system for consideration. The Elected Member spoke of the impact on applications and referred to specific Judicial Reviews and the need to consider all these applications proportionally.

*** Councillor McGurk joined the meeting remotely at 13.35 pm**

At the request of an Elected Member the Senior Planning Officer advised that on numerous instances there can be the submission of 2 separate applications for the maximum 2no. infill dwellings; they do not need to be submitted as one planning application. Need to consider what physically exists on the ground, size of gap, pattern of development, measurements of average plot width. The Senior Planning Officer referred to the current gap width of 152m which could accommodate 4 plots taking account of the average plot width and application site width of 76m which is significantly larger than the average plot width. He referred to policy CTY14 which is linked to the ability of the small gap site to accommodate no more than 2 buildings and in terms of policy CTY13 integration, a modest low single storey dwelling could be accommodated but there is no meaningful vegetation.

At the request of an Elected Member the Senior Planning Officer said that continuous built up frontage was met however this was not a small gap site. Frontages would be narrow and to respect character this gap can accommodate 4 properties; the application site is more than 2 times size of average plot size.

At the request of an Elected Member the Senior Planning Officer confirmed that frontage to the road is the dimension measured for plot width.

Proposed by Councillor Watton
Seconded by Councillor Storey
-That application LA01/2023/0582/O, Referral, Land 25m East of 62 Ballywoodock Road, Castlerock be deferred for a site visit to consider frontages in context.

The Chair put the motion to the vote.
9 Members voted For; 0 Members voted Against; 2 Members Abstained.
The Chair declared the motion carried.

**RESOLVED -** That application LA01/2023/0582/O, Referral, Land 25m East of 62 Ballywoodock Road, Castlerock be deferred for a site visit to consider frontages in context

**5.5 LA01/2023/0583/O, Referral, Land 30m West of 68 Ballywoodock Road, Castlerock**

Report, presentation, addendums and erratums were previously circulated.

**Referral Application to be determined by Planning Committee**
**App Type:** Outline Planning
**Proposal:** Proposed 1no. 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 conditions set out in section 10.

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

**Addendum 2 Recommendation**
That the Committee note the contents of this Addendum and agree with the recommendation to refuse the application as set out in Section 1 of the Planning Committee report.

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

Proposed by Councillor Watton
Seconded by Councillor Storey
- That application LA01/2023/0583/O, Referral, Land 30m West of 68 Ballywoodock Road, Castlerock be deferred for a site visit to consider frontages in context.

The Chair put the motion to the vote.
9 Members voted For; 0 Members voted Against; 2 Members Abstained.
The Chair declared the motion carried.

**RESOLVED -** That application LA01/2023/0583/O, Referral, Land 30m West of 68 Ballywoodock Road, Castlerock be deferred for a site visit to consider frontages in context

*** Having declared an interest the Chair, Alderman Hunter left the Chamber at 13.50 pm during consideration of this Item.**

*** The Vice Chair assumed the position of Chair.**

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

Report, presentation, Addendum, Erratum, correspondence from objector and Site Visit Report

The application was presented by Senior Planning Officer M McErlain.

**Referral Application to be determined by Planning Committee**
**App Type**: Outline
**Proposal:** Proposed Infill Dwellings and Garages

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

**Addendum Recommendation**
That the Committee note the contents of this Addendum and agree with the recommendation to refuse the application as set out in Section 1 of the Planning Committee report.

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

The Senior Planning Officer presented via powerpoint as follows:-

- LA01/2023/0563/O is an Outline application for the provision of 2 infill dwellings and garages at lands Between 88 & 90 Haw Road, Bushmills.

- This is a local application and is presented to the Planning Committee as a referred item following a recommendation to refuse planning Permission.

- The site is located in the rural area as defined in Northern Area Plan 2016. The site is not located within any environmental designated sites.

- The application site as defined by the red line boundary encompasses the majority of the roadside portion of a larger agricultural field. A strip of land to the northern end of the application site has been retained to maintain access. Access to the site is proposed via the construction of a new

paired access onto Haw Road.

- The west boundary is defined by the roadside hedge. The northern and eastern boundaries are undefined through the open field. The south boundary is comprised of a post and wire fence, hedge and a timber fence to the adjacent semi-detached property.

- There is no previous planning history on the site. Planning history on the adjacent lands to the north and south of the application site is set out in Section 3 of the Planning Committee Report.

- As this application has been submitted as an infill dwelling it falls to be determined under paragraph 6.73 of the SPPS and Policy CTY 8 of PPS 21. Policy CTY8 allows for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage provided these respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements.

- To the south of the application site are two pairs of semi-detached dwellings and a detached dwelling beyond. To the north of the application there is a Church Hall, which is separated from the application site by the remainder of the agricultural field in which the application site is sited. All of the aforementioned plots have a direct frontage onto Haw Road. It is therefore accepted that there is a substantial and continuously built-up frontage at this location.

- The average frontage measurement along the substantial and continuously built-up frontage is 14.1m.

- Paragraph 5.34 of PPS21 outlines that the gap to be considered is between buildings (building to building).

- The gap (building to building) between the dwelling at No. 90 and the Church Hall to the north of the site is approximately 87.5 m.

- When assessed against the average plot widths along the frontage, the gap is capable of accommodating 6 dwellings. The gap is excessive in size when assessed against the existing character/pattern of development in the area.

- The average plot size of the plots within the built-up frontage = 823 square metre.

- Each plot within the application site has an average area of 898 square metres which are comparable in size. However, this is only due to the fact that the character of the proposed plots significantly differ from the adjacent pattern of development.

- The established pattern of development of the dwellings to the south comprise narrow, linear plots. The plot shapes for the proposed sites are significantly wider to the road frontage and extend back from the road significantly less. This form of development is not reflective of the established pattern of development along the frontage.

- Additionally, the infilling of this site would add to existing development along the road frontage, resulting in the addition to ribbon development, which is detrimental to the character, appearance and amenity of the countryside, which is also contrary to Policy CTY8.

- Given the proposed development does not represent a small gap site capable of accommodating a maximum of two dwellings, is not reflective of the established pattern of development within the frontage and would result in the addition to ribbon development along Haw Road, the application fails to comply with Paragraph 6.73 of the SPPS and Policy CTY8.

- Additionally, as the proposal is not reflective of the established pattern of development within the frontage and would result in the addition to ribbon development along Haw Roadd the application fails to comply with Paragraph 6.70 of the SPPS and Policy CTY14.

- As this is an outline application no detailed plans have been submitted regarding the design of the dwelling.

- Views of the application site are obtained over a relative short distance and are screened by the adjacent development and vegetation to the north and south of the site. While the site lacks long established natural boundaries to two boundaries and provision of the access will further remove existing vegetation, it is considered that the existing buildings coupled with the retention of the existing vegetation to the northern field boundary would allow dwellings of an appropriate size to satisfactorily integrate into the landscape.

- While additional and compensatory landscaping would be required the proposal would not wholly rely on the use of new landscaping for enclosure and integration. The proposal complies with Paragraph 6.70 of the SPPS and Policy CTY13 of PPS21.

- Consultation was carried out with DFI Roads, Environmental Health, NI Water, DAERA Water Management Unit, Historic Environment Division and Northern Ireland Electricity who have raised no concerns.

- In conclusion the proposal is contrary to Paragraphs 6.70 and 6.73 of the SPPS and Policies CTY8 and CTY14 of PPS21 in that the application site does not constitute a small gap site within an otherwise substantial and continuously built-up frontage, would add to ribbon of development along Haw Road and would fail to respect the traditional pattern of development of the area.

- In addition, no overriding reasons have been forthcoming as to why the development is essential, therefore the proposal is contrary to policy CTY1. Refusal is recommended.

The Chair invited questions from Elected Members for the Officer.

At the request of an Elected Member the Senior Planning Officer confirmed that name of the applicant which had been previously confirmed within the erratum, previously circulated.

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

J Simpson advised that there was a built up frontage of 3 or more buildings in the vicinity of a community building which was compliant with policy CTY8 and had no evidence of ribbon development. Plot sizes are similar to adjacent buildings in the substantial and continuously built up frontage. Average plot sizes are 0.08 ha and this site is 0.09 ha and therefore compliant with policy. J Simpson advised that there is sufficient existing landscaping to integrate thus no dependency of new landscaping. Critical views are restricted by a large hedge. Size of adjacent dwellings are not modern day standards. J Simpson made reference to planning appeal 2012/A0175 and /LA01/2021/0569/0 where there was a visual link to focal building which was 700m away. He advised that access is required to remainder of agri-field and the site is a gap site to accommodate a maximum of 2 houses. Application complies with policy.

The Chair invited questions from Elected Members for the speaker.

In response to questions from Elected Members, J Simpson advised that he had calculated the gap site between 2 buildings i.e. no. 88 and no. 90. J Simpson also confirmed that plot sizes of no's 90 – 96 to the south of site were 0.08 hectares which is very similar to this site. J Simpson advised that the semi-detached properties were constructed some time ago; the field is only accessible to the farmer and said that the average plot size of the sites was low and the concept plan demonstrates this is not a massive dwelling.

An Elected Member urged caution around compliance with policy in relation to frontages and plot sizes.

Senior Planning Officer advised that the gap is measured between buildings no. 88 and no. 90 and substantial built-up frontage includes the church and 5 dwellings. He advised that the farmyard on the edge of the slide is not taken into account as the laneway and paddock area terminate the built up frontage to the southern end. He referred to reference to focal community buildings and advised that proximity to focal buildings is not a criteria of policy CTY8. The Senior Planning Officer showed a google street view of the area pointing out the laneway and the paddock area.

An Elected Member referred to Legal Advice previously provided and required to consider same in more detail and felt that it would be difficult to make a decision on these types of applications until further consideration of the legal advice provided.

An Elected Member suggested deferring for a month to facilitate Council Solicitor organising a workshop to consider in detail the legal opinion, as the current position leaves Elected Members in an unfair position especially around legal implications.

An Elected Member raised concerns around deferring for 1 month and felt that a date for a workshop should be scheduled with Council Solicitor with no indefinite deferring being an option. The Elected Member spoke of variances and differences in gap sites and referred to recent Judicial Reviews and the need for a clear understanding on infill sites.

Proposed by Alderman S McKillop
Seconded by Alderman Callan
- That application LA01/2023/0692/O, Referral, Between 88 & 90 Haw Road, Bushmills be deferred for a month to facilitate Council Solicitor organising a workshop to consider in detail the legal opinion around infill sites.

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

**RESOLVED** - That application LA01/2023/0692/O, Referral, Between 88 & 90 Haw Road, Bushmills be deferred for a month to facilitate Council Solicitor organising a workshop to consider in detail the legal opinion around infill sites.

*** The Chair resumed her position having returned to the Chamber.**
**The Vice Chair vacated his position as Chair.**

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

Report, presentation and speaking rights template were previously circulated.

**Referral Application to be determined by Planning Committee**
**App Type**: Outline
**Proposal:** Proposed 1no. 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 conditions set out in section 10.

**Addendum Recommendation**
That the Committee note the contents of this Addendum and agree with the recommendation to refuse the application as set out in Section 1 of the Planning Committee report.

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

Proposed by Councillor Storey
Seconded by Alderman Scott
-That in the interest of fairness application LA01/2024/0170/O, Referral, Approximately 35m South West of 344 Craigs Road Rasharkin is referred pending consideration of legal advice relating to infill sites.

The Chair put the motion to a vote.
11 Members voted For; 0 Members voted Against; 1 Member Abstained.
The Chair declared the motion carried and the application deferred.

**RESOLVED** -That in the interest of fairness application LA01/2024/0170/O, Referral, Approximately 35m South West of 344 Craigs Road Rasharkin is referred pending consideration of legal advice relating to infill sites.

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

Report, presentation, addendums, erratum and speaking rights template were previously circulated.

**Referral Application to be determined by Planning Committee**
**App Type**: Outline
**Proposal:** Proposed 1no. 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 conditions set out in section 10.

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

**Addendum 2 Recommendation**
That the Committee note the contents of this Addendum and agree with the recommendation to refuse the application as set out in Section 1 of the Planning Committee report.

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

Proposed by Councillor Storey
Seconded by Alderman Scott
-That in the interest of fairness application LA01/2024/0172/O, Referral, Approx. 75m South West of 344 Craigs Road Rasharkin is deferred pending consideration of legal advice relating to infill sites.

The Chair put the motion to the vote.
11 Members voted For; 0 Members voted Against; 1 Member Abstained.
The Chair declared the motion carried and the application deferred.

**RESOLVED** -That in the interest of fairness application LA01/2024/0172/O, Referral, Approx. 75m South West of 344 Craigs Road Rasharkin is referred pending consideration of legal advice relating to infill sites.

*** Having declared an interest Alderman Callan left the meeting at 14.50 pm**

**5.9 LA01/2023/0954/F, Referral, Land South of & Opposite 2-14 Circular Road & North of The Mall car park, Coleraine**

Report, presentation, erratum and speaking rights were previously circulated.

The application was presented by Senior Planning Officer R Berringer.

**Referral Application to be determined by Planning Committee**
**App Type**: Full
**Proposal:** 26no. apartments (including 2no. wheelchair accessible), scooter store, cycle store & bin store. Communal open space & 6no. car parking spaces.

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

The Senior Planning Officer presented via powerpoint as follows:

- LA01/2023/0954/F is a full application for 26no. apartments (including 2no. wheelchair accessible), scooter store, cycle store & bin store. Communal open space & 6no. car parking spaces.

- An Erratum accompanies the Planning Committee Report

- (Slide) The site, as identified in the red line above, is located on Circular Road in Coleraine, with Mall Street running along the southern and western boundaries of the site. The junction of Queen Street with Circular Road abuts the western boundary. The site lies within the town centre boundary and the Coleraine Area of Archaeological Potential as designated in the Northern Area Plan 2016. The site also forms part of Designation CET 02, Mall Car Park, a committed development site as set out in the Plan.

- (Slide) The proposal is for 26 apartments, scooter store, cycle store and bin store. Communal open space is also indicated on the site layout plan, along with 6no. car parking spaces.

- (Slide) This slide shows the proposed elevations of the apartments, which is four storeys at the highest part, extending across a large portion of the main block of the building.

- (Slide) Some contextual elevations of the proposal, showing the apartments relative to the nearby commercial buildings in Queen Street (Menarys), and the residential properties on Circular Road.

- (Slide) Close up of the site layout at the western end of the site. Communal amenity area B is identified by the blue star, and sits adjacent to Queen Street, with the main Circular Road beyond. The red stars indicate the ground floor windows in apartments 6 & 7, where there is no defensible space. These windows serve living spaces and in the case of apartment 6 the bedroom. The yellow star indicates the location of main Entrance B for the apartment block.

- (Slide) Again a close up of the site layout, to the eastern end, with communal amenity area A, adjacent to the car parking. Red stars indicating the ground floor windows in apartment 1 with no defensible space. These windows serve the living space and bedroom. With the bedroom positioned adjacent to the main entrance door A, identified by the yellow star.

- (Slide) Moving to some images of the site, this is a view of the site from western corner, taken from Mall Street.

- (Slide) View of the site in the context of the surrounding buildings at the western end. With the listed library building in the background.

- (Slide) View of the site on Circular Road. Closest dwellings shown on the right hand side of this image.

- (Slide) View of the site from Mall Street looking toward JKC. Public open space at Anderson Park in the background.

- (Slide) View of the site from the bottom of Queen Street.

- The planning history on the site shows that some of the site was the subject of previous approvals for both mixed use and retail development. NIHE were consulted in relation to policy HOU 2 of the NAP 2016 and confirmed they are supportive of the scheme, noting that it contributes to meeting unmet need in Coleraine. Given the history of the site, the local need for social housing and the immediate mixed use context of the site, the principle of residential development on this site is acceptable.

- With regards to the proposal, the main issues are in relation to the scale, massing, design and appearance of the building. That inadequate provision has been made for private and communal open space, that there will be an unacceptable impact to the privacy of proposed residents, and that the development does not provide adequate provision for car parking.

- The site is located at the convergence of several heavily trafficked routes within the town centre and sits within close proximity of the Grade B1 listed building, Coleraine Library. The proposed building will dominate views on the approach to the site from the surrounding road network, and will compete with, and ultimately dominate focus, when seen in context with the townscape due to its scale, massing, design and palette of materials, which includes dark cladding and aluminium curtain walling. The scale of the proposed building significantly exceeds the heights of the surrounding buildings, with much of the building extending to four storeys in height, further highlighting the inappropriate scale and massing in this location. The proposed building will appear stark and incongruous within the streetscape and ultimately dominate neighbouring properties.

- As set out in paras. 8.22 to 8.26 of the Planning Committee Report the level of open space provided falls significantly below the minimum requirement. Guidance in Creating Places states that for apartment developments private communal open space will be acceptable. These should range from a minimum of 10sqm per unit to 30sqm per unit. Given the town centre location, a minimum of 260sqm of quality communal open space is required. The two proposed communal amenity areas, as indicated on the site layout, total approx. 98sqm. While there is public open space available nearby, within close proximity of the site, it does not compensate for the significant shortfall in this case.

- Area A is positioned adjacent to the parking area, with fixed seating. Area B is positioned in the western corner of the site. Due to its relationship and openness to the busy public road, which is a particularly busy thoroughfare through Coleraine, it does not provide an acceptable quality form of open space. This area would not offer an appropriate location for passive recreation due to the area being in full public view and subject to noise.

- As the proposal is not designed to integrate with and make use of adjoining public open space, it does not engage the Policy OS 2 exception.

- The proposal will have an unacceptable impact to the privacy of proposed residents. There is no defensible space afforded to the ground floor living room windows of apartments 6 & 7, and the living room and bedroom of apartment 1. This has the potential to adversely affect proposed residents in terms of noise, impact to privacy and personal safety. Due to the location of the main entrance (A), most of the footfall is directed past the living and bedroom windows of apartment 1, with no standoff areas proposed. Similarly, those using entrance B, at the western end, will pass the living and bedroom window of apartment 6. In

addition, the proposed communal amenity areas are in close proximity of these same apartments (1, 6 &7) further exacerbating nuisance in the form of noise and impact to privacy.

- There are 6no. parking spaces provided as part of the proposal, which is a significant shortfall in the approx. 30 parking spaces required to meet Parking Standards. Consultation was carried out with DfI Roads however parking provision is an amenity issue for the Council to consider. Given the town centre location and the nature of the proposal as a social housing scheme, a lesser requirement could be considered. In this case, the level that has been provided still falls 20 spaces short of 1 per apartment and is not acceptable.

- One letter of objection was received, the detail of which is provided in the report.

- The proposed development is acceptable in principle; however the particulars of the development do not accord with the relevant planning policy. The proposed scale, massing and design of the development is not acceptable. The proposed building will be unduly prominent due to its location and out of character relative to the neighbouring properties. There is inadequate provision made for private and communal open space, and the proposal will have an unacceptable impact to the privacy of proposed residents. The proposal does not make adequate provision for parking.

- As the proposal is contrary to criteria (a), (c), (f), (g) and (h) of Policy QD 1 of PPS 7, and Policy AMP 7 of PPS 3. Refusal is recommended.

The Chair invited questions from Elected Members for the Officer.

In response to questions from Elected Members the Senior Planning Officer advised that the inadequate parking was only one of the reasons for refusal being recommended and that consideration had been given to a lesser provision given the town centre location.

The Senior Planning Officer advised that application LA01/2019/0510/F was not comparable as was a change of use from retail units to 4 no. apartments. The Senior Planning Officer acknowledged the public amenity nearby but referred to the quality of open space in the proposal.

The Senior Planning Officer explained that as the proposed apartments were in a town centre location consideration was given to the lower end of 260sqm but still considered to fall short and that consideration had also been given to available town centre parking. The Senior Planning Officer advised that policy

QD1 required to be met in relation to the provision of quality amenity space and it was a matter for Council to determine the level of provision.

The Senior Planning Officer advised that HED had no issue having looked at wider townscape of which library forms a part

The Head of Planning advised Elected Members that a Parking Survey is normally submitted to determine if on-street parking or public car parking is available to accommodate parking for a site in a town centre location. She advised that there had been discussions regarding scale, massing and design and that quality of accommodation should not be comprised.

The Chair invited M Hanvey, C Cowan and Oliver Pankhurst to speak in support of the application. Oliver Pankhurst did not speak on the application.

M Hanvey stated that the Parking Study discussed had been completed in 2023 had been uploaded and was available to view. This is a sustainable form of development for category 1 over 55 year old tenants. Designed not to dominate street scene as 4th floor is inset. He stated that the Northern Regional College dominates the street scheme and, in that context, how can it be considered this building to be unacceptable in scale and massing; if refused it will remain undeveloped for some time. M Hanvey stated that 90%of finishes are in brick. He advised that HED say there is no impact on listed buildings and opposite to the proposal is a car sales business and elevated car park.

M Hanvey referred to open space calculations advising that 265sqm is provided and a total 335sqm including landscaped areas. He referred to 'Creating Places' which allows reduced provision if public open space is available. M Hanvey reminded Members that the site is within the town centre and is a high density complex with views on ground floor apartments restricted. He referred to the character of residential development in the town centre as having front door and windows directly abutting the footpath and street. He stated that the Parking Survey demonstrated ample provision and availability of parking in public car parks and the Town Centre is accessible on foot and using public transport. There are no concerns for the potential of anti-social behaviour.

C Cowan said that there were currently 1000 applicants on waiting list for this type of housing in this Borough with 94 individuals in housing stress. Radius Housing purchased this land in 2021 and budgetary constraints require this land to be developed as funds are limited.

The Chair invited questions for the speakers from Elected Members.

In response to questions from Elected Members, M Harvey referred to the Parking Survey and the benefits to residents of this scheme including 2 disabled units. M Harvey referred to other schemes adjacent to public car parks. He also referred to the repopulation of town centre sites and accepted planning standards in a general sense. However, as a priority we should appreciate the requirement for residents to avail of services on foot rather than taking account of reduced standards.

C Cowan provided the rationale for 26 units saying that any less than this would not be financially viable. C Cowan said that since purchasing the site £160,000 was spent on fees, surveys, NI Water solutions. C Cowan said that there are limited budgets for housing schemes this year. The request is for Planning Committee to approve this application so it can be put at front of queue to deliver new starts this year.

At the request of an Elected Member the Senior Planning Officer said that the Planning Survey was not referred to within the Planning Committee Report and having further considered the comments from the speakers, the second reason for refusal on basis of parking would be withdrawn.

The Chair confirmed that only 1 reason for refusal remained.

Proposed by Councillor Watton
Seconded by Alderman S McKillop
-That the Committee has taken into consideration and disagrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to **APPROVE** planning permission subject to the conditions set out in section 10 for the following reasons:-

- This is a brownfield site in the town centre surrounded by other buildings
- Two other schemes in area had no parking and approved
- Demonstrated housing need.
- Surrounded by and in keeping with other buildings in the area i.e. library and Northern Regional College.
- Design, scale and massing carried out by a qualified architect and is satisfactory and is a subjective matter that is considered acceptable for this location
- Planning Officers were consulted and brick finish approved and satisfactory.
- Demonstrated need for 55+ housing units with little car ownership
- Provision of amenity acceptable given level of public amenity in area.
- Sustainability of project – want to make sure have necessary accommodation for sustainability of development.
- Not unduly prominent

- When read against the context of the Northern Regional College this development is acceptable and principal of development accepted by Planners

The Chair put the Motion to the Committee to vote.
9 Members voted For; 1 Member voted Against; 1 Member Abstained.
The Chair declared the Motion carried and the application approved.

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

- This is a brownfield site in the town centre surrounded by other buildings
- Two other schemes in area had no parking and approved
- Demonstrated housing need.
- Surrounded by and in keeping with other buildings in the area i.e. library and Northern Regional College.
- Design, scale and massing carried out by a qualified architect and is satisfactory and is a subjective matter that is considered acceptable for this location
- Planning Officers were consulted and brick finish approved and satisfactory.
- Demonstrated need for 55+ housing units with little car ownership
- Provision of amenity acceptable given level of public amenity in area.
- Sustainability of project – want to make sure have necessary accommodation for sustainability of development.
- Not unduly prominent
- When read against the context of the Northern Regional College this development is acceptable and principal of development accepted by Planners

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

## 6. CORRESPONDENCE:

### 6.1 DfI – Transforming Planning – Appointed Person, Independent Inspectors Project

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

Correspondence received from A Beggs, Interim Director, Projects – Department for Infrastructure.

Update for stakeholders on Transforming Planning – Appointed Person, Independent Inspectors Project.

Planning Committee NOTED the correspondence.

**6.2 DfI – Chief Planners Role**

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

Correspondence received from J Andrews, Interim Deputy Secretary – Department for Infrastructure.

Confirmation that Rosemary Daly will be taking over the role of Chief Planner with immediate effect and thanks to outgoing Chief Planner A Beggs for his tenure in the role.

Planning Committee NOTED the correspondence.

**7. REPORTS FOR DECISION**

**7.1 Implementation of Statutory Validation Checklist**

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

**Purpose of Report**
This Report is to seek agreement to implement the new statutory planning application validation checklist process.

**Background**
The Department's Review of the Implementation of the Planning Act (Northern Ireland) 2011 was published in January 2022. This review recognised the importance of front-loading the planning application process to ensure applications are accompanied with all the necessary supporting documentation needed to reach a decision at the point of submission.

Further reports by the Northern Ireland Audit Office in February 2022 and the Public Accounts Committee in March 2022, both acknowledged and referenced the delay poor quality submissions can have on the planning process.

At the Planning Committee meeting held on 22 May 2024 it was resolved to implement a non-mandatory Planning Application Validation Checklist and this has been in operation since 01 September 2024.

On 01 October 2024, DfI made a Statutory Rule, The Planning (General Development Procedure) (Amendment) Order (Northern Ireland) 2024 which came into operation on 01 April 2025. This Statutory Rule introduced provision for councils to prepare and publish planning application validation checklists above the current minimum statutory requirements, and the provision of an associated dispute mechanism where an applicant disagrees with a planning authority's decision declaring an application invalid/incomplete.

At the Planning Committee held on 23 October 2024 it was resolved to hold a public consultation on the proposed statutory Planning Application Validation Checklist. This public consultation was held for a period of 12 weeks from 12 January 2025 to 14 April 2025. This included presenting the public consultation reports at the Equality Forum on 05 March 2025. The draft validation checklist that was subject to the public consultation and associated documents is available to view via the following link https://causewaycoastandglens.gov.uk/live/planning/public-consultation-planning-application-validation-checklist .

The overall objective of the validation checklist is to enhance the quality of applications entering the system, front-loading the application process, which should result in better processing times and more efficient consultee responses. The associated dispute mechanism is to provide applicants with the right to appeal against a decision of a council not to validate an application, where it is of the view that the application is incomplete.

**Responses**

The public consultation was published on Council's website and social media and presented to the Equality Forum on 05 March 2025. The consultation was also brought to the attention of agents and planning consultants at the meeting with RSUA and RTPI held on 30 January 2025. The online survey was accompanied by the following documents:

- Draft Planning Application Validation Checklist
- DMIN10 Planning Application Validation Checklist
- Draft Equality Screening
- Draft Rural Needs Assessment
- Planning (General Development Procedure) (Amendment) Order (Northern Ireland) 2024

A total of 29 responses were received to the online survey and a further 3 other responses. The 29 online survey responses received were from:

- 48.28% Planning Consultant, Architect, Legal Profession
- 31.03% Consultee
- 17.24% Individual

- 3.45% other

The 3 other responses received outside the online survey were from consultees.

The main issues arising from the consultation responses included:

- 82.8% agreed that the planning application validation checklist is necessary to improve the quality of applications at submission stage
- 82.85% agreed that the planning application validation checklist is necessary to improve the efficiency (processing time) of the planning application process
- 86.2% agreed that the planning application validation checklist is user friendly
- 86.2% agreed that it would be helpful to provide an indicative guide to the information required by application type
- 48.3% agreed that a Planning Statement should be provided with every application and 42.9% of additional comments provided agreed it should be provided for larger and non-straightforward/complex applications but not minor, straightforward applications and 38.1% agreed it should be for all applications
- 59.6% agreed that a Biodiversity Checklist (with potential for Biodiversity Survey) should be submitted with every application
- 62% agreed that confirmation that a Pre-Development Enquiry has been completed with NI Water and an agreed solution identified with every application connecting to the public sewage infrastructure

The 3 other responses raised issues specific to their area of work for inclusion within the final Planning Application Validation Checklist as follows:

- Confirmation as to whether a potable water supply can be connected and its nature
- Request a Hydrogeological Risk Assessment for development that would impact on the groundwater quality, quantity and/or gradient
- Aerial Dispersion modelling files should be included within the Validation Checklist to accompany the Air Quality Impact Assessments
- Refer to Land Contamination reports or risk assessments rather than Land Contamination
- Drainage Assessments – flag need to obtain other approvals or consents regarding the safe disposal of storm water/surface water run-off.
- Planning Statement should include details of why the development is considered to be an exception under policy FLD1 of PPS15 where applicable
- Metric for fluvial and coastal flood plains should be ‘1 in 100 year’ and ‘1 in 200 year’ respectively
- Further details on what a flood risk assessment must demonstrate

- Beneficial to include reference to Technical Guidance Note 25 and suggest contacting the Reservoir Authority to inform the applicant of any potential reservoir related issue at an early stage

The final statutory Planning Application Validation Checklist is attached at Appendix 1. In response to the consultation, the main changes to the Checklist from the non-statutory checklist already in operation are as follows:

- Biodiversity checklist will not be a requirement for minor household applications or advertisements
- NI Water Pre-Development Enquiry will not be a requirement at validation stage
- Planning Statement will not be a requirement for minor household applications or advertisements
- An indicative guide (DMIN 10) will be published with the implementation of the statutory Planning Application Validation Checklist

**Recommendation**
**It is recommended** that the Committee considers the attached validation checklist and AGREES to the implementation of the statutory validation checklist and associated Development Management Information Note 10 attached at Appendix 1 and 2, previously circulated.

Proposed by Councillor Storey
Seconded by Alderman Scott
-That that the Committee considers the attached validation checklist and AGREES to the implementation of the statutory validation checklist and associated Development Management Information Note 10 attached at Appendix 1 and 2, previously circulated.

The Chair put the Motion to the Committee to vote.
11 Members voted For; 0 Members voted Against; 1 Member Abstained.
The Chair declared the Motion carried.

At the request of Alderman Callan, the Head of Planning agreed to organise PR including photographs by way of a launching initiative for Implementation of Statutory Validation Checklist

**RESOLVED** - That that the Committee considers the attached validation checklist and AGREES to the implementation of the statutory validation checklist and associated Development Management Information Note 10 attached at Appendix 1 and 2, previously circulated.

## 7.2 Housing Research Study - Workshop

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

**Purpose of Report**
The purpose of this Report is to:

- advise Members that Ulster University (UU) has completed the first phase of the Housing Research Study; and
- seek agreement to schedule a workshop for UU to attend and discuss their findings, prior to commencing the next phase of the Study.

**Background**
Members will be aware of the work undertaken by the Council's Development Plan team to get to the current stage of Local Development Plan (LDP) preparation - draft Plan Strategy, and in particular, the discussions regarding the Borough's housing allocation and distribution. At Members' request, UU has been employed to carry out independent housing research to help inform these discussions.

The Study is being undertaken in two phases:

- Phase 1: Data Collection; and
- Phase 2: Stakeholder Engagement

The final report, scheduled for completion in September 2025, will also form an important part of the robust evidence base informing the preparation of the of the LDP, including the new dwelling requirement for the Borough.

**Workshop**
UU are now in a position to attend a workshop to discuss the first phase findings with Members and officers.

**Recommendation**
**IT IS RECOMMENDED** that the Planning Committee note the content of this Report and agree to a workshop to discuss the first phase findings prior to UU commencing the next phase of the Study.

In response to a question from an Elected Member, the Development Plan Manager advised that the report was currently in draft form and would be considered in confidence by Elected Members and that the Ulster University will want to discuss the draft report prior to finalising. The Development Plan Manager agreed to request that the document was sent to Elected Members in confidence prior to the workshop.

Proposed by Alderman Callan
Seconded by Alderman Scott

-That Planning Committee note the content of this Report and agree to a workshop to discuss the first phase findings prior to UU commencing the next phase of the Study.

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 Planning Committee note the content of this Report and agree to a workshop to discuss the first phase findings prior to UU commencing the next phase of the Study.

*** Alderman Stewart left the meeting in the Chamber at 4.00pm.**

**7.3 Planning Department Business Plan 2025/26**

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

**Purpose**
The purpose of the Planning Service Business Plan is to set out the key business focus for Planning over the next business year for consideration and agreement by Members.

**Details**
The Planning Department Business Plan 2025/26 sets out the key objectives for the business over the next business year. It takes account of the current position at end of 2024/25 and builds on this performance for the incoming year.

The key functions of the Planning service area are:

Local Development Planning – creating a plan which will set out a clear vision of how the council area should look in the future by deciding what type and scale of development should be encouraged and where it should be located to create a sustainable environment; designation of conservation areas; issuing Building Preservation Notices and Tree Preservation Orders.

Development Management – determining the vast majority of planning applications and other planning consents, including waste and minerals applications, conservation area consents, advertisement consents, certificates of lawful development, non-material changes, and discharge of conditions.

Planning Enforcement – investigating alleged breaches of planning control and taking action where it is considered expedient to do so; issuing of Urgent Works Notices.

The business plan objectives are:

- To improve performance in relation to processing of planning applications
- Preparation of Council's draft Plan Strategy
- To manage finance, staff, information and other resources effectively within the corporate governance framework

The Planning Department financial budget for 2025/26 has been agreed at £1.96m supported by predicted income of £1.21m bringing the total expenditure to £3.16m. The Planning Department staff structure comprises of 50.74 FTE staff which accounts for 90.3% of the overall expenditure.

The Planning Service Business Plan is attached at Appendix 1, previously circulated.
The Head of Planning referred to the staffing structure contained within the Business Plan and the provision of an under/graduate position for 1 year placements. Members welcomed the inclusion of this position.

**Recommendation**
**IT IS RECOMMENDED** that the Planning Committee APPROVE the Planning Department Business Plan 2025/26.

Alderman Callan welcomed the strong focus on staffing and performance as well as the undergraduate programme and enhancement to Senior Team and referred to the positive engagement between Planning Officers and Elected Members.

At the request of Alderman Callan the Head of Planning agreed to remove a comment in the SWAT analysis '*due to continual input from elected members'*

Proposed by Alderman Callan
Seconded by Alderman S McKillop
-That Planning Committee APPROVE the Planning Department Business Plan 2025/26.

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 Planning Committee APPROVE the Planning Department Business Plan 2025/26.

Proposed by Councillor Storey
Seconded by Councillor Kennedy

-That a more streamlined process be implemented to eliminate duplication of presenting reports to both Corporate Policy & Resources Committee and Planning Committee.

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 a more streamlined process be implemented to eliminate duplication of presenting reports to both Corporate Policy & Resources Committee and Planning Committee.

## 8. REPORTS FOR NOTING

### 8.1 Finance Report – Period 1-12

For information report, previously circulated, was presented by the Head of Planning.

**Purpose**
This Report is to provide Members with an update on the financial position of the Planning Department for the Period 1-12 of 2024/25 business year.

**Details**
Planning is showing a variance of just over £327k favourable position at end of Period 12 based on draft Management Accounts.

The favourable position at the end of Period 12 is due to favourable position in relation to wages and salaries expenditure of over £270k due to vacant posts and reduction in agency staff.

This favourable position in relation to wages and salaries is reduced by a deficit in income of just over £2k from that predicted within the budget. The number of planning applications received over this period has decreased slightly when compared to the same period last year resulting in a decrease in advertisement costs of over £10k.

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

**Recommendation**
**It is recommended** that the Planning Committee considers and notes the content of this report for the Period 1-12 of 2024/25 financial year.

Planning Committee NOTED the report.

## 8.2 BT Kiosk/Service Removal

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

**Purpose of Report**
To present a British Telecom (BT) consultation on proposals for the removal of telephony services and/or kiosks throughout the Borough.

**Background**
BT wrote to the Council on 16th May 2025 advising of 24.no public payphone services/kiosks identified for removal (see list at Appendix 1).

Consultation on the proposal is open for 90 days (closing on 14th August 2025). To ensure that local communities are informed of such proposals, BT has also displayed a public notice in the affected kiosks (see template at Appendix 2). In making its final decision BT will take account of any representations received to the proposal, either from, or through, the Council.

**Adoption of Kiosks**
With payphone usage falling, communities are looking at new ways to re-use phone kiosks. BT has indicated that thousands of kiosks have already been reinvented as cafes, mini-libraries, and defibrillator sites. Communities can adopt most traditional red kiosks for just £1. Modern glass kiosks may also be adopted to house a defibrillator.

In light of concerns raised previously by Members, officials requested, from BT, details of the types of kiosks affected. Eight of the kiosks are the K6 traditional red type (items 1, 2, 4, 5, 7, 9, 10 & 13 on the list at Appendix 1). Of these red kiosks, two are listed (items 5 & 7) therefore BT propose to keep these two kiosks in situ and only remove the telephony service.

Officials will contact community groups in the vicinity of the traditional red kiosks and advise them to contact BT directly (as is required) if interested in adoption.

Details of the BT 'adopt a kiosk' scheme may be found at:
https://business.bt.com/public-sector/street-hubs/adopt-a-kiosk-scheme/

BT previously advised Council that any concerns specifically relating to the ongoing maintenance of their kiosks should be directed to them on 0800 661 610 or by e-mail to: customer.serv.payphones@bt.com

**Recommendation**
It is recommended that the Planning Committee note the contents of the report and inform the Head of Planning, within the consultation period, of any representations to this proposal.

The Development Plan Manager advised that BT had been contacted and an email address provided to contact them if any concern around maintenance. BT had also been advised that red boxes should be listed.

Proposed by Alderman S McKillop
Seconded by Councillor Storey
-That the Development Plan Manager write to BT and HED to request for listing of Red Boxes.

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

**RESOLVED** - That the Development Plan Manager write to BT and HED to request for listing of Red Boxes.

**MOTION TO PROCEED '*IN COMMITTEE*'**

Proposed by Councillor Storey
Seconded by Alderman Scott and

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

*** Press and Public were disconnected from the meeting 4:20pm**

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

**9. CONFIDENTIAL ITEMS:**

**9.1 Verbal Update on Legal Issues**

The Head of Planning provided Members with an update on a Pre Action Protocol Letter received in relation to Planning application LA01/2016/1328/F.

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

Proposed by Councillor Storey
Seconded by Alderman Scott and

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

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

There were no items of Any Other relevant Business.

Closing remarks for end of year as Chair of Planning Committee were made by Alderman Hunter:

*"Members, as this is my last meeting to Chair and before the Head of Planning rushes off, as she again has went above the call of duty, she was to leave at 3.30pm and has stayed on to finish this meeting, so I cannot let Denise away without saying a personal word of thanks, from whom I have greatly valued our professional relationship and to have had the opportunity to work with you, your insights and guidance have been truly inspiring.*

*As I reflect on the past year Denise, your exceptional leadership and unwavering dedication to our planning initiatives, along with your strategic foresight and commitment have been pivotal in advancing the objectives of this Planning Committee.*

*The numerous improvements we have realised are a direct result of your diligent efforts, be it the continuous improvement in our statutory targets, the very favourable position on our financial reports, which is a huge achievement, along with foresight to include a workplace for a student in the only job vacancy there is within Planning, along with the collaborative staff environment you have nurtured within the team.*

*So please accept my sincere thanks to you, Denise, and all the Planning Team for the invaluable contributions you all make to the Causeway Coast and Glens Borough, while always looking forward to achieving greater accomplishments in the future. Thank you.*

*To my Vice-Chair, Councillor Watton:-*

*I want to express my sincere thanks for your support and assistance throughout the year. Your willingness to step in and help out whenever the occasion required, ensured the smooth functioning of our Planning Committee, on a personal note I have been deeply grateful for your commitment of working together. Thank you Russell.*

*To the Secretarial, Legal and ICT staff for the Planning Committee:-*

*Thank you so much for your professionalism, efficiency and positive attitude on this Planning Committee, which takes a lot of time and work to keep it running smoothly. Your contributions are invaluable and we are fortunate to have such a talented team working for the Planning Committee. Thank you all.*

*Planning Committee Members:-*

*As outgoing Chair I would like to convey gratitude to my fellow Council members of this Planning Committee, for your contributions and insightful deliberations to the planning process and hope the changes thus far will have a positive impact as we move forward and work together for more improvements.*

*A quote – Alone we can do so little, together we can do so much. Let us continue to harness the power of teamwork to achieve our ambitions goals in this Planning Committee.*

*In closing, I wish the Planning staff, new Chair and Vice-Chair all the best for the next year ahead."*

This being all the business the meeting closed at 4:32pm.

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Chair