

**PLANNING COMMITTEE MEETING HELD
WEDNESDAY 24 SEPTEMBER 2025**

Table of Key Adoptions

No.	Item	Summary of Decisions
1.	Apologies	<i>Alderman Boyle, Callan, Councillor Kennedy</i>
2.	Declarations of Interest	<i>Alderman Scott, Councillor Storey</i>
3.	Minutes of Planning Committee Meeting held Wednesday 27 August 2025	<i>Confirmed as a correct record</i>
4.	Order of Items and Confirmation of Registered Speakers	<i>Confirmed</i>
4.1	LA01/2024/0240/O, Referral, Lands Adjoining 180 Duncrun Road, Limavady	<i>Withdrawn</i>
4.2	LA01/2024/0977/F, Referral, Land South of 1&2 Hillcrest Cottages and Circa 30m North West of 22 Loguestown Road, Portrush	<i>That LA01/2024/0977/F and LA01/2022/0663/O are deferred for a site visit to see the site in situ for a better understanding of how it relates to other buildings</i>
4.3	LA01/2022/0663/O, Referral, Land adjacent to 60 Windyhill Road, Limavady	
	Change Order of Business	
	<i>'In Committee' (Item 5-5.1 inclusive)</i>	
5.	Confidential Items	
5.1	Update on Legal Issues	<i>That Planning Committee consider the Legal Opinion as a confidential item at the next Full Council meeting if the Barrister can attend, and if not,</i>

		<i>schedule the meeting for another date</i>
6.	Schedule of applications	
6.1	LA01/2024/0444/F, Major, Lands at Portstewart Golf Club, 117 Strand Road, Portstewart	<i>That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to APPROVE planning permission subject to the conditions set out in section 10</i>
6.2	LA01/2023/0008/F, Major, Lands Approximately 1.86km WSW of 175 Gelvin Road, in the townlands of Brishey and Curraghlane, approx 4.8km E of Dungiven	<i>That the Committee defer LA01/2023/0008/F for a Site Visit to view the site due to the level of opposition to the site</i>
6.3	LA01/2023/0728/F, Major, Lands located southeast of the Ballycastle Roundabout on the eastern outskirts of Coleraine. At their northern point lands are located south of the existing cluster of dwellings and buildings located along Ballyrashane Road. Lands extend south and are bound by the Ring Road on their western boundary and New Mills Road on their south-western boundary. Lands extend west to 170m north of Tullans Country Holiday Park	<i>That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to APPROVE planning permission subject to the conditions set out in section 10</i>
6.4	LA01/2024/1187/F, Council, Craigahullier Landfill Site, Ballymacrea Road, Portrush	<i>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</i>

		<i>and 8 and resolves to Approve planning permission subject to the conditions set out in section 10</i>
6.5	LA01/2022/0791/F, Objection, 57-59 Causeway Street Portrush	<i>That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to Approve planning permission for the reasons set out in section 10</i>
6.6	LA01/2022/0761/F, Objection, 26 Seafield Park, Portstewart	<i>That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to Approve planning permission subject to the conditions set out in section 10</i>
6.7	LA01/2022/1182/F, Objection, 66 Burnside Road, Portstewart	<i>That the Committee has taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 and 8 and resolves to Approve planning permission subject to the conditions set out in section 10</i>

6.8	LA01/2023/0482/F, Referral, Lands approximately 146m SW of no. 132 Clooney Road, Eglinton	<i>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</i>
6.9	LA01//2023/0615/F, Referral, 40 Strand Road, Portstewart	<i>That Committee defer to accommodate a site visit between Planners and agent to view in context and allow discussion and agreement following which Officers are delegated to approve or return to Committee if recommendation remains to refuse</i>
6.10	LA01/2023/0580/F, Referral, Site Between 56 & 58 Ballykenver Road Armoy	<i>That Committee defer for a site visit to enable Elected Members to familiarise themselves with the proposed site</i>
7.	Reports for Decision	
7.1	TPO Confirmation – New Row, Coleraine	<i>That Committee agree Option 1: Resolve to confirm the TPO with modifications as detailed</i>
8.	Reports for Noting	
8.1	Planning Application Review	<i>Note</i>
8.2	LDP – Project Management Team – Annual Monitoring Report (2024/25)	<i>Note</i>
8.3	LDP – Steering Group – Annual Monitoring Report (2024/25)	<i>Note</i>
8.4	LDP – Quarterly Update	<i>Note</i>
8.5	Finance Report – Period 1-4 2025/26	<i>Note</i>

9.	Any Other Relevant Business (in accordance with Standing Order 12 (o))	<i>None</i>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING
COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS AND
VIA VIDEO CONFERENCE
ON WEDNESDAY 24 SEPTEMBER 2025 AT 10.30AM**

Chair: Councillor Kane (C)

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

Officers Present: D Dickson, Head of Planning (C)
S Mathers, Development Management (major
applications) and Enforcement Manager (C)
D Hunter, Council Solicitor (C)
J Lundy, Development Management Manager (local
applications) (C)
S Mulhern, Development Plan Manager (C)
J McMath, Senior Planning Officer (C)
R Beringer, Senior Planning Officer (C)
M Wilson, Senior Planning Officer (C)
J Keen, Committee & Member Services Officer (C/R)
I Owens, Committee & Member Services Officer (R/C)

In Attendance: R Finlay, ICT Officer (C/R)
L Boyd, ICT Officer (C/R)

Press 2 no. (R)
Public 15 no. including Speakers (C)
Public 13 no. including Speakers (R)

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

Registered Speakers

Application No	Name
LA01/2024/0444/F	D Lamont D MacLaren
LA01/2023/0728/F	P McKernan G McGlen
LA01/2024/1187/F	D Dalzell

	D Alexander
LA01/2022/0791/F	P Reid G McGill James Williamson
LA01/2022/1182/F	G Dodds
LA01/2023/0482/F	M Kennedy
LA01//2023/0615/F	M Bell D Donaldson

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, Callan and Councillor Kennedy¹

2. DECLARATIONS OF INTEREST

Declarations of Interest were recorded for Alderman Scott in LA01/2024/0444/F, Major, Lands at Portstewart Golf Club, 117 Strand Road, Portstewart. Having declared an interest, Alderman Scott left the meeting during consideration of this item and did not vote.

Declarations of Interest were recorded for Councillor Storey LA01/2024/1187/F, Council, Craigahullier Landfill Site, Ballymacrea Road, Portrush. Having declared an interest, Councillor Storey left the meeting during consideration of this item and did not vote.

3. MINUTES OF PLANNING COMMITTEE MEETING HELD WEDNESDAY 27 AUGUST 2025

Proposed by Councillor McMullan

Seconded by Councillor Storey

– That the Minutes of the Planning Committee Meeting held Wednesday 27 August are signed as a correct record.

The Chair put the motion to the Committee vote.

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

¹ Councillor Kennedy later joined the meeting

The Chair declared the motion carried.

RESOLVED - That the Minutes of the Planning Committee Meeting held Wednesday 27 August 2025 are signed as a correct record.

4. ORDER OF ITEMS AND CONFIRMATION OF REGISTERED SPEAKERS

4.1 LA01/2024/0240/O, Referral, Lands Adjoining 180 Duncrun Road, Limavady

The Chair advised that this Item had been withdrawn from the planning process and therefore also from the Agenda.

4.2 LA01/2024/0977/F, Referral, Land South of 1&2 Hillcrest Cottages and Circa 30m North West of 22 Loguestown Road, Portrush

Proposed by Councillor Storey

Seconded by Councillor Anderson

- That LA01/2024/0977/F and LA01/2022/0663/O are deferred for a site visit to see the sites in situ for a better understanding of how they relate to other buildings.

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 LA01/2024/0977/F and LA01/2022/0663/O are deferred for a site visit to see the sites in situ for a better understanding of how they relate to other buildings.

4.3 LA01/2022/0663/O, Referral, Land adjacent to 60 Windyhill Road, Limavady

This was considered under Item 4.2 LA01/2024/0977/F, Referral, Land South of 1&2 Hillcrest Cottages and Circa 30m North West of 22 Loguestown Road, Portrush

CHANGE ORDER OF BUSINESS

The Chair advised of a change to the order of business to consider Agenda Item 8.1 - Update on Legal Issues 'In Committee' next on the Agenda of business.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor Storey
Seconded by Councillor Anderson and

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

* **Press and Public were disconnected from the meeting 10:43am**

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.

5. CONFIDENTIAL ITEMS

5.1 Update on Legal Issues

Council Solicitor provided a verbal update regarding the legal opinion on planning application reference LA01/2019/0922/F and provided options to Planning Committee Members on how to proceed.

In response to concerns raised by an Elected Member, Council Solicitor provided further legal advice.

The Head of Planning reiterated options available to Planning Committee Members.

Proposed by Councillor McGurk
Seconded by Councillor Archibald

- That Planning Committee consider the legal opinion as a confidential item at the next Full Council meeting if the Barrister can attend, and if not, schedule the meeting for another date.

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried

RESOLVED - That Planning Committee consider the legal opinion as a confidential item at the next Full Council meeting if the Barrister can attend, and if not, schedule the meeting for another date.

MOTION TO PROCEED '*IN PUBLIC*'

Proposed by Councillor Watton
Seconded by Councillor Anderson and

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

- * **Press and Public were reconnected to the meeting at 11:09am**

6. SCHEDULE OF APPLICATIONS

- * **Having declared an interest in the following item Alderman Scott left the Chamber at 11:13am**

6.1 LA01/2024/0444/F, Major, Lands at Portstewart Golf Club, 117 Strand Road, Portstewart

Report, Addendum Presentation, Speaking Rights Template and Objections were previously circulated and presented by the Development Management and Enforcement Manager.

Major Application to be considered by the Planning Committee.

App Type: Full Planning

Proposal: Modifications to Portstewart Golf Course comprising improvements to the Riverside and Strand courses, new chipping and practice greens, realignment of practice area and new covered bays, overspill car park, extension to greenkeepers shed (including replacement water storage tank and storage bays) and ancillary works. Includes retrospective modifications to holes 13, 14 and 15 on the Strand course.

Recommendation

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

Addendum Recommendation

That the Committee note the contents of this Addendum and agree with the recommendation to approve the application in accordance with Sections 1 and 9 of the Planning Committee Report.

The Development Management and Enforcement Manager presented a verbal addendum.

The following objections were addressed as follows:

1. We are concerned that the planners refuse to lower the bays. We do not think that by lowering the bays 2 meters that they would have to lower an area 260M X80 and that this is an exaggeration. We remain concerned that the bays appear high.

The Development Management and Enforcement Manager advised that the bays are sited as low as practically possible and are visually acceptable to the Planning Department.

2. We are also concerned that surplus soil will be spread over various other areas which affects the ASSI designation and may also spoil the views for visitors on an AONB travelling along Strand and Burnside Roads.

The Development Management and Enforcement Manager advised there is an onsite balance of material and there is no surplus material.

3. We remain concerned that these bays could act as a sound box and the reverberation of the shots will be more noticeable than the current outdoor practice area. Have decibel tests taken place on a similar construction?

The Development Management and Enforcement Manager advised the bays will be acoustically insulated.

4. Also they imply there is a problem with containing balls within the course and this will continue to be the case. The residents in numbers 9, 11 and 13 Burnside Road, certainly do get golf balls in their gardens, at times quite frequently, and damage has been caused. While golfers are supposed to drive in a Southerly direction this is not always the case and balls can be found on the road in front of our houses which is a hazard for motorists and pedestrians alike.

The Development Management and Enforcement Manager advised that the bays will allow for a reorientation away from properties which is a betterment.

The Development Management and Enforcement Manager presented as follows:

- This proposal comprises work to Portstewart Golf Club just outside Portstewart. The key elements of the application are: course upgrade works; practice putting and chipping greens; covered bays, overspill car park and greenkeeper's shed extension with replacement water tank.
- As indicated in the Northern Area Plan 2016, the site is located in the open countryside, outside the settlement development limit of Portstewart. The site is zoned Local Landscape Policy Area and a Site of Local Nature Conservation Importance. Additionally, it is located within the Binevenagh AONB. The Northern Area Plan 2016 directs to regional policy regarding sport/ recreation proposals. The policy in the LLPA is no development

other than sensitively designed and sited facilities, directly related to the operation of the golf club or otherwise deemed essential in the overriding public interest.

- 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.
- Further to a positive screening determination, an Environmental Statement was submitted. This was subject to consideration by both the Planning Department and relevant consultees.
- Background to Application- The proposals seek to improve the playability of several holes and the level of golf facilities on offer. This will assist in maintaining the status of the Club both locally and internationally.

MAIN ISSUES

- Course Upgrade Works- The proposal includes modification to several holes. Public views of these works are restricted by the topography of the existing golf course and the setback distance of the modified holes. NIEA Natural Environment Division had concerns with the location of works within the Bann Estuary SAC and ASSI. This is because it had, in part, resulted in the loss of upper saltmarsh habitat. This necessitated a restoration plan as part of the environmental statement. NIEA are content with the restoration works.
- Covered Bays- The covered bays are located to the north of the site in the vicinity of Burnside Road. The Planning Department rejected the initial design given its angular form which would have appeared out of place. The acceptable redesign includes recontouring of land to aid screening and use of a grass roof. The amended proposal presents an acceptable design solution.
- Overspill Car Park- 30 additional car park spaces are proposed. These are located in the north portion of the site, accessed from the existing car park which in turn, is accessed from Strand Road. Negotiation between the Planning Department and agent resulted in reduced levels to assist with screening at this sensitive location. The design of the car park is now acceptable and appropriate for the LLPA. Provision of the additional parking will reduce the likelihood of conspicuous parking of vehicles on the edge of the course as currently happens on peak days.

- Natural Heritage- Consideration has been given to a range of issues such as protected species including otters and lizards. Through the submission of various reports, consultation with the relevant authorities and the use of a specific condition regarding the Construction Environmental Management Plan (CEMP), the proposal is considered acceptable in this respect.
- Archaeology- Given the size of the site, archaeological evaluation is required. This is regulated by condition.
- Representations- The detail of representations are considered in the report.
- CONCLUSION - Having regard to the relevant issues, the proposal is considered to comply with policy. Therefore, approval is recommended.

The Chair invited questions from Elected Members for the Officer.

There were no questions put to the Officer.

The Chair invited D Lamont, D MacLaron and A Larkin to speak in support of the application.

D Lamont stated that Portstewart Golf Club has a history of 131 years, there is 1600 members with an age range from 8 to over 80years old and the majority of members are from the Causeway Coast and Glens area. D Lamont stated that Portstewart Golf Club is a not for profit organisation, that it has been developed over the last 30 years into a world class facility and that the Golf Club attracts over 25,000 paying visitors every year. D Lamont stated that there is a lack of practice facilities and that a consultation had taken place with a range of stakeholders. D Lamont stated that Portstewart Golf Club is one of the biggest Clubs in Ireland, that it is a major force and requested support for this application from Elected Members.

In response to questions from Elected Members, D MacLaron stated that there is currently enough capacity in the carpark the majority of the time, on occasions where there is an overflow, cars are parking on the road and in the area of the proposed practice range. D MacLaron confirmed that the proposed additional parking will be a betterment to the facility.

In response to further questions D MacLaron stated that the key premise is to lessen the danger of golf balls going into neighbouring gardens, the practice facilities will reduce this occurring. D MacLaron advised that non domestic tourism is vital, NI Tourism have stated that non domestic tourism is worth £70

million and Portstewart Golf Club is part of that, North American tourists stay 7-10 days and the whole of the tourism industry will benefit.

In response to questions, D Lamont stated that the bays have been reduced in height and reduced into the landscape as much as possible, noise will be reduced and the visual aspect will improve.

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 APPROVE planning permission subject to the conditions set out in section 10

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried and application approved.

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

* **Alderman Scott rejoined the meeting in the Chamber at 11:48am**

6.2 LA01/2023/0008/F, Major, Lands Approximately 1.86km WSW of 175 Gelvin Road, in the townlands of Brishey and Curraghlane, approx 4.8km E of Dungiven

Report, presentation, addendum, erratum, objections, and speaking rights template were previously circulated and presented by Development Management and Enforcement Manager.

Major Application to be determined by Planning Committee

App Type: Full

Proposal: Construction of a windfarm comprising up to 6no. turbines (to a maximum blade tip height of 150 metres) an electrical substation/control building, internal access tracks, spoil deposition areas, temporary construction compound, delivery route junction improvements 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 APPROVE planning permission subject to the conditions set out in section 10

Erratum Recommendation

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

Erratum 2 Recommendation

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

Addendum Recommendation

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

Development Management and Enforcement Manager presented as follows:

- This proposal, for a new wind farm, is for 4 wind turbines, each with a tip height of 150m. In the context of this application, the scheme has been reduced from 6 wind turbines. The proposal includes a substation/ control building, internal access tracks and a temporary construction compound.
- As indicated in the Northern Area Plan 2016, the site is located within the Sperrins AONB. The Northern Area Plan 2016 is silent on the matter of wind farm development. Therefore, regional policies apply.
- As this is a major planning application, it was preceded by a PAN accompanied by a community consultation report together with a Design and Access Statement.
- As this proposal is EIA development, it was accompanied by an Environmental Statement.

MAIN ISSUES

- Public Safety/ Human Health & Residential Amenity- The fall over distance from public roads is met. Concerning the separation distance to occupied property, there is one dwelling within 10 times the rotor diameter area of 1385m (including allowance for micro-siting). However, applying the logic of the Planning Appeals Commission in a previous appeal for Armoy Wind Farm, which used a 500m distance threshold, the

separation distances are acceptable. In terms of noise, subject to applying the financially linked threshold for one dwelling, 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 on the down gradient of the gentler eastern slopes of Benbradagh. The site is visible within and around Dungiven including from the A6 Dual Carriageway. The scheme has been amended from 6 to 4 turbines. This has reduced the level of impact from viewpoint locations. The application was accompanied by a professional Landscape and Visual Impact Assessment (LVIA) prepared by Park Hood Chartered Landscape Architects. This concluded, “The broader landscape and the existing visual resources identified have the capacity to absorb a proposal of this scale and size without unacceptable impacts arising and the proposal should be considered acceptable in landscape and visual terms.” NIEA Protected Landscapes Team consider the proposal will appear as an extension to the existing windfarm at Evishagaran (13 turbines) and is acceptable on this basis. On the acceptability of the proposal in terms of visual amenity/ landscape character, determining weight is given to the conclusions of the professional LVIA and the position of NIEA Protected Landscapes Team.
- Natural Heritage- Consideration has been given to a range of issues such as priority habitat (including blanket bog), the presence of badgers, newts, lizards, bats, birds and impacts on the water environment. Through the submission of various reports, consultation with the relevant authorities and the use of specific conditions the proposal is considered acceptable in this respect.
- Other Issues- No unacceptable issues are arising regarding archaeology, water quality, peat slide, telecommunications or aviation safety.
- Economic, Environmental and Social Benefits- The proposal offers significant economic and environmental benefits. These include: substantial rates revenue and; a contribution towards meeting the 80% renewable energy by 2030 target set by the Climate Change (NI) Act 2022. Social benefits in this case include educational initiatives. The SPPS requires these benefits to be given “appropriate weight”. These benefits are afforded significant weight in this instance.

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

CONCLUSION –

- Having regard to the relevant issues, the proposal is considered acceptable. Therefore, approval is recommended.

In response to questions, the Development Management and Enforcement Manager stated that the objections received were for the current proposed scheme and the previous scheme.

In response to further questions, the Development Management and Enforcement Manager referred to the slides containing critical viewpoints and reiterated the conditions applied and stated that the visual aspect is considered acceptable, given the conditions.

Discussion ensued regarding holding a site visit and the value of having all the information, including hearing from speakers, in order to make a decision. It was considered, that in the interests of fairness, to hold a site visit and then hear from the speakers.

Proposed by Councillor Watton

Seconded by Alderman Coyle

- That the Committee defer LA01/2023/0008/F for a Site Visit, in order to view the site due to the level of opposition to the site.

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried and application deferred.

RESOLVED - That the Committee defer LA01/2023/0008/F for a Site Visit to view the site due to the level of opposition to the site.

6.3 LA01/2023/0728/F, Major, Lands located southeast of the Ballycastle Roundabout on the eastern outskirts of Coleraine. At their northern point lands are located south of the existing cluster of dwellings and buildings located along Ballyrashane Road. Lands extend south and are bound by the Ring Road on their western boundary and New Mills Road on their south-western boundary. Lands extend west to 170m north of Tullans Country Holiday Park

Report, presentation, addendum, correspondence and speaking rights template were previously circulated and presented by the Development Management and Enforcement Manager.

Major Application to be determined by Planning Committee

App Type: Full

Proposal: Installation and operation of a 29.9 MW solar farm and Battery Energy Storage System (BESS) and associated infrastructure including photovoltaic panels, mounting frames, inverters transformers, substation, fencing, pole mounted security cameras and associated site access and landscaping.

Recommendation

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

Addendum Recommendation

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

The Development Management and Enforcement Manager presented via powerpoint as follows:

- This proposal comprises a solar farm over a 52ha site to the east of Coleraine. In addition to the ground mounted panels, the scheme includes the additional key elements of an access road, battery energy storage system (BESS) primary substation, inverted substation containers and fencing with CCTV cameras.
- As indicated in the Northern Area Plan 2016, the site is located in the open countryside, outside the settlement development limit of Coleraine. The Northern Area Plan 2016 is silent on the matter of solar farm development. Therefore, regional policies apply.
- As this is a major planning application, it was preceded by a PAN accompanied by a community consultation report together with a Design and Access Statement.

MAIN ISSUES

- Public Safety/ Human Health & Residential Amenity- The closest dwellings to the proposal are located at Newmills Road and Ballyrashane Road. A noise assessment was submitted and the Environmental Health Department are content with same. A glint and glare assessment shows

the proposal to be acceptable, further to mitigation in the form of vegetation along the site boundary. The Landscape and Visual Impact Assessment presented with the application states that with mitigation integrated, moderate and not significant visual effects on properties are predicted during the operational phase.

- Visual Amenity/ Landscape Character- Given topography, intervening vegetation and landscaping, much of the site is not subject to critical views. However, sections of the site adjacent the A29 Ring Road, Ballycastle Road Roundabout and Ballyrashane Road are subject to critical views. In processing the application, the Planning Department has had dialogue with the Agent to mitigate visual impact from these locations. While some reductions were achieved, these did not extend to the full extent of what was requested. The changes requested would have improved the scheme. However, on balance, as currently presented in the absence of these changes, the scheme is not so unacceptable to warrant refusal.
- Natural Heritage- Consideration has been given to a range of issues such as priority habitat (specifically hedgerows), the presence of badgers and bats and impacts on the water environment. Through the submission of various reports, consultation with the relevant authorities and the use of a specific condition regarding the Construction Environmental Management Plan (CEMP), the proposal is considered acceptable in this respect.
- Archaeology- Given the size of the site, archaeological evaluation is required. This is regulated by condition.
- Economic, Environmental and Social Benefits- The proposal offers significant economic and environmental benefits. These include a contribution towards meeting the 80% renewable energy by 2030 target set by the Climate Change (NI) Act 2022. The SPPS requires these benefits to be given “appropriate weight”. Significant weight is given to these factors in this instance.
- Representations - The detail of representations are considered in the report.

CONCLUSION

- Having regard to the relevant issues, the proposal is considered to comply with policy. Therefore, approval is recommended.

In response to questions in relation to the policy applied to this application, the Development Management and Enforcement Manager advised that there is no policy within the Northern Area Plan 2016 regarding solar farms, and regional policy was applied.

In response to further questions, the Development Management and Enforcement Manager confirmed that 5 objections have been received; paragraph 5.12 of the Planning Committee report refers to the reduction of 6.75 acres of solar panels as a result of issues raised at the pre community consultation stage.

The Chair invited P McKernan to speak in support of the application.

P McKernan addressed the Planning Committee as follows:

Thank you for affording us the opportunity to speak in support of the above referenced planning application.

On behalf of the Applicant, RPS welcome the recommendation brought forward by Planning Officers to Approve the Application, having regard to the Area Plan and other material considerations. This recommendation has been informed by a robust application process involving significant consultation with a comprehensive range of statutory authorities.

The suite of assessments which accompany the application demonstrates there are no unacceptable impacts associated with the development. All statutory consultees have provided substantive responses confirming they are content with proposals.

In addition:

- *Alignment with Northern Ireland Energy Policy and Net Zero Targets - The proposal aligns with the Climate Change Act (NI, 2022) and Energy Strategy Action Plan (2023) which mandates a target of at least 80% electricity consumption from renewable sources by 2030. It is worth noting that this is a target, not a ceiling figure.*
- *Causeway Coast and Glens Local Economic Partnership- This project aligns with Causeway Coast and Glens Long Term Economic Priorities to “develop SOLAR PVC Farms to make the Borough one of the UK’s most sustainable regions by 2035; ensuring that sustainability and the development of a vibrant and growing economy go together”. As stated in the Councils Department of economy priorities response.*
- *Energy Diversification and Security of Supply - It contributes to energy security and diversification by providing a clean, indigenous and renewable energy source. Latest Department of the Economy data sets out for the 12 - month period between July 2024 and June 2025 only 43.1% of metered electricity consumption was generated from renewable*

sources in Northern Ireland – a 1.6% decrease on the previous 12 months. There is some way to go before meeting the 2030 targets.

- *Carbon Offset - The application would help the Boroughs continued transition to a more sustainable, low carbon future, generating enough clean, renewable electricity to meet the demands of approximately 11,400 homes every year, offsetting c.16,000 tonnes of carbon emissions annually.*
- *Farm diversification – The proposal will result in a dual land use. Lands comprising the application site will continue to be grazed during the life-time of the proposal.*
- *Local Business- The project is being developed by company based in Coleraine with strong links to the local community. Dunluce Developments Limited are keen to see the local area prosper.*
- *Economic Benefits – There are significant economic benefits associated with the initial capital spend as well as annual contributions to the local exchequer in the form of rates - likely to be c.£150k per annum.*

To summarise, the Planning Officer report confirms the project aligns with planning policy and other material planning considerations. We respectfully ask the Planning Committee to support the recommendation to Approve.

In response to questions, P McKernan advised that there will be a mix of trees and shrubs which will include coniferous trees to provide year-round screening.

In response to question G McGlen stated there had been numerous meetings on site with objectors and confirmed changes had been made to the application in order to respect the wishes of the objectors, there is a reduction of 6.75 acres of solar panels to reduce impact on neighbours on Newmills Road.

Proposed by Councillor Archibald

Seconded by Councillor Storey

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

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried and application approved.

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

6.4 LA01/2024/1187/F, Council, Craighullier Landfill Site, Ballymacrea Road, Portrush

Report, presentation, Addendum and speaking rights templates were previously circulated and presented by the Senior Planning Officer, M Wilson.

Council Application to be determined by Planning Committee

App Type: Full

Proposal: 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.)

Recommendation

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

Addendum Recommendation

That the Committee note the contents of this Addendum and agree with the recommendation to Approve the application in accordance with Sections 1 and 9 of the Planning Committee Report, having regard to the further conditions set out in the Errata and Addenda.

Senior Planning Officer presented via powerpoint presentation 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.)
- This is a Local application and is being presented to the Planning Committee on the basis that the Council is the applicant. This application was presented to the Planning Committee at the February, March and May meetings of the Planning Committee and deferred due to matters relating to hyperlink not working, request for the Director of Environmental Services to attend, further objection matters and land ownership challenges.
- Planning Committee Report previously circulated and there are 7 erratum and addendum. Just to run through the errata and addenda – the first one corrects a comment made in the Planning Committee Report about DfI Roads raising no objection and considers a further objection.

- The second erratum and addendum clarifies it is the Waste Management Licence that requires modification with NIEA; not the PPC Permit, and includes a further condition which is Condition 8 and relates to the site working plan.
- The third Addendum relates to a further objection and recommends the inclusion of 3 further conditions should planning permission be granted – conditions 9, 10 and 11 as set out in Para 2.7 of the third Addendum.
- The 4th addendum deals with the land ownership matter following the revision of the blue lands, and the 5th addendum seeks deferral of the application following a further letter of objection.
- The 6th Addendum deals with 2 further objections including concerns regarding lighting, and Habitats Regulation Assessment, odour, other amenity issues and the matter of the future of Craigahulliar Landfill and the operation of a WTS at Letterloan.
- The 7th addendum deals with a further letter of objection regarding the operations of the Landfill and the issue of lighting which is addressed under Addendum 6 and Members should note that lighting/flood lighting is not part of this application and the matter under consideration is the merits of an additional waste code being accepted at the Waste Transfer Station.
- So moving onto the slides and presentation.
- (SLIDE) The site is located to the southeast of the settlement of Portrush, in the open countryside as set out in the Northern Area Plan 2016. You can see the holiday park just to the top left of this image. This is (SLIDE) the red line of the application site, and you can see the building identified as the Waste Transfer station.
- Planning Approval C/2002/1040/F was granted permission on 14/01/04 for a building for the storage and transfer of dry recyclables and this application seeks planning permission to vary that approval and to add mixed municipal waste (black bin waste) to the types of waste which can be stored and transferred from the shed.
- Following consultation and consideration of the various reports submitted, including a Planning Modification Statement, Odour Management Plan and Transport Assessment Form, this proposal is acceptable taking into consideration the planning history on the site (the principle of a building used for the storage and transfer of waste has been established) and no

objections from relevant consultees. The site is regulated by a PPC and Waste Management Licence and given the change of waste to be treated at the Waste Transfer Station, a variation to the Waste Management Licence is required and is pending subject to planning approval. It should be noted as set out in the Addenda that a Waste Management Licence cannot be granted/issued in the absence of planning permission.

- (SLIDE) here are some slides of photographs of the site and its location – this is showing the entrance from Ballymacrea Road – driving west on the left hand photo and east on the right.
- (SLIDE) this next photo shows the access road up past the holiday park which is on the right of the road.
- (SLIDE) and finally just an overhead satellite view showing the waste transfer station.
- Approval is recommended subject to the conditions set out in the Planning Committee Report and the Addendum

In response to questions, Senior Planning Officer stated that it is the application that needs to be considered, other matters outside of the application are being considered by the Planning Department as outlined in the planning report.

The Chair invited D Dalzell to speak in objection to the application.

D Dalzell addressed Planning Committee as follows:

We welcome the Council's proposed additional planning conditions:

Planning Condition 8 (Erratum and Addendum 2), Planning Conditions 9-11 (Addendum 3)

We seek assurance that these conditions will be included in full, in the planning decision.

To date still no details of the odour suppression system have been provided. We would have expected the planners to have sought details of the proposed odour suppression system before recommending that this development is approved. As a minimum, there should be an additional planning condition requiring:

“Details of the odour suppression system shall be submitted to the Council and approved in writing, in consultation with NIEA, prior to the commencement of the development hereby approved. The approved odour suppression system shall be installed prior to any mixed municipal wastes being delivered, stored or treated on site.

Regarding waste in transit, it is possible for planning to enforce and condition waste in transit as the planning application includes a long access road (from the public road) which is included within the application site red line. This should be covered by an additional planning condition to echo the Waste Management Licence condition that, “The operation is not permitted to have an odour outside the site boundary”.

The Council envisage that a new WTS at Letterloan will make Craigahulliar WTS “surplus to requirements” (Environmental Services Committee, November 2024). An appropriate planning condition would stipulate that Craigahulliar WTS must close completely within 3 months of Letterloan WTS coming into operation. The professional planning officer stops short of recommending a suitable planning condition, but states (section 2.10, Addendum 3), “... it is the applicant’s intention that the purpose of any new transfer station at Letterloan is likely to recommend the consolidation and closure of Craigahulliar”. We ask the Council to provide an update and firm commitment in this regard.

The Chair invited D Alexander to speak in objection to the application.

D Alexander stated that the site is operating unlawfully and illegally. He referred to the floodlighting on site, stating that they shine directly across the bat colony, this has been raised by Councillor McAuley but no action has been taken. D Alexander referred to NIEA comments on the adjacent site, that bats have high sensitivity to lighting. The site this facility occupies contains natural habitats for bats and there have been strict conditions on other applications. D Alexander stated the application should not be approved until these issues are resolved. D Alexander stated that part of the objection had been redacted.

Councillor Storey declared an interest in this application stating that he has a caravan at Blairs Caravan Park and left the Chamber at 12:51pm.

In response to questions, D Alexander stated there are no dates for the closer of the site but he understood that the site is to eventually close, it is a Council decision to close it but further planning applications have been submitted. D Alexander confirmed his farm is not impacted by odours, that the ownership and notification issue has been resolved.

The Chair invited A Thompson to speak in support of the application.

A Thompson stated:

This application is for the addition of 1 waste type to the already consented and operational waste transfer station at the Craigahulliar Landfill Complex.

The waste transfer station has been operational for over 20 years with no known amenity issues or complaints.

The planning application to add black bin waste to the current waste transfer station on an alternative weekly basis is a small but critical piece of a larger environmental improvement plan.

It is the Council intention to close the Craigahullair landfill early without the development of cell 6. The Council have full planning approval under C/1993/0600/F for the landfill, including cell 6.

Cells 1 to 5 have now reached capacity. Therefore, the Council have 2 options:

- 1. Invest and develop Cell 6; or*
- 2. Transfer the black bin waste through the existing waste transfer station then close and restore the landfill*

To ensure compliance with the Waste Hierarchy, the NWRWMG Waste Management Plan and the Waste (Circular Economy) (Amendment) Regulations (NI) 2020, the Council have agreed a strategy to close the landfill early and transfer the waste going forward to a private sector contractor who can extract further recyclates from the waste and convert any remaining waste to a fuel for energy recovery.

The transfer of the black bin waste from the existing waste transfer station is therefore imperative to allow the closure of the landfill.

The benefits of this application are:

- It will allow the landfill to close, be sealed with a low permeability cap, and be restored*
- It will mitigate risks of odour, litter and flies which can be operational risks of a landfill*
- Waste placed in a landfill produces gases such as methane and carbon dioxide from its decomposition which can continue for periods up to and exceeding 60 years. Ceasing the operation of the landfill will therefore reduce the future greenhouse gas emissions associated with the Councils management of wastes.*
- The alternative option to transferring the black bin waste through the waste transfer station is to develop cell 6 which will bring landfill operations closer to receptors. It is estimated that it would take a further 15 years to*

fill cell 6. The Council would also have to re-open the landfill to commercial customers to help cover the capital and operational costs of the new cell 6. This would increase the flow of HGV's along the road and past the caravan park.

- *If the waste transfer station was to be granted permission to transfer black bin waste the following operational controls would be in place to prevent amenity risk:*
 - *The black bin waste would only be accepted on an alternative weekly basis*
 - *The waste would be tipped inside the enclosed shed to prevent amenity issues*
 - *The waste transfer station is 170m from the closest point of any future extension of the caravan park*
 - *The waste would be loaded into HGV's and removed from site. The Council would endeavour to remove all black bin waste from the shed by the end of each working day and at worst within 48 hours. Therefore, waste will not sit for periods long enough to generate an odour outside the waste transfer station*
 - *The acceptance of black bin waste would only be for the limited bin lorries around the Portrush area. It is estimated that this would only be in the region of 8 bin lorries daily, Monday to Friday. The waste would be loaded into 2 to 3 bulk HGVs daily, Monday to Friday. This would equate to 10 to 11 HGV's per day. This would be a significant reduction in HGV movements when compared to the landfill operation.*
 - *The waste transfer station is currently operational under a Waste Management Licence issued and regulated by NIEA. The modification to this Waste Management Licence would be assessed and regulated by NIEA.*
 - *The Waste Management Licence for the site contains a compliance condition that states*

“5.2.1 Measures shall be implemented and maintained throughout the operational life of the site to control odour and monitor emissions of odours from the site, in accordance with Table 5.2. 5.2.2 All emissions to air from specific waste management operations on the site shall be free from odours at levels as are likely to cause pollution of the environment or harm to human health or serious detriment to the amenity of the locality outside the site boundary, as perceived by an authorised officer of the Department”

- *Both NIEA and Environmental Health were statutory consultees to the planning application. As part of this consultation they considered the Site Management Plan and the Odour Management Plan for the Waste*

Transfer Station. Neither NIEA, nor Environmental Health had an objection to the proposal.

- Further benefits will be delivered by the proposal. The application will support the Councils objective of zero waste direct to landfill. This will ensure compliance with new statutory targets which will require no more than 10% of waste sent to landfill by 2035.*
- It will allow the waste that was previously disposed of in the landfill to go for further treatment at a private sector facility. This will allow further recycles to be extracted and the remainder sent for energy recovery.*
- It ensures the Council waste will be managed in accordance with the Waste Hierarchy.*
- The Council must have its own waste transfer stations to ensure it can issue competitive tenders for the future treatment of the waste. A lack of waste transfer provision would result in the reliance on 1 private sector operator in the Council area. The Council would therefore not be able to demonstrate value for money in any future procurement process.*
- The lack of waste transfer provision from Craigahullair would result in bin lorries having to travel greater distances to tip. This would result in extra costs to the Council in terms of staff over time, fuel and wear and tear on the bin lorries. It would also result in more time traveling to tipping points which could affect the time spent collecting bins. This will increase operational costs to the Council as well as increase vehicle / carbon emissions associated with the bin collection service*

In response to questions, A Thompson stated that the lighting is not part of this application and confirmed there is some lighting around the office but it is used during operational hours. A Thompson stated that the lighting had been approved in a previous application and has been upgraded to more energy efficient lighting, this can be addressed by the Environmental Services team. The current use of this facility is an interim position, if it is not approved the amenity site will remain open. A Thompson stated that consideration is being given to the facility at Letterloan taking over from Craigahulliar so waste can be transferred to the Letterloan facility.

In response to questions, the Senior Planning Officer advised that the addendums address the issues raised by the speakers, the site is subject to a Waste Management Licence, within this there are conditions related to odours, the Senior Planning Officer cited these Conditions. The Senior Planning Officer confirmed there are very strict and high standard of requirements within the Waste Management licence, which will be regulated by NIEA as the regulatory authority. The Senior planning Officer reminded members that lighting does not form part of this application.

Proposed by Councillor McMullan

Seconded by Councillor Archibald

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

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried and applications deferred.

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

* **The Chair declared a recess for lunch at 1:16pm**

* **The meeting reconvened at 2.00pm.**

The Head of Planning undertook a roll call.

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

Report, presentation, Addendum 1-4 and site visit reports, previously circulated were presented by Principal Planning Officer.

Objection Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Full Planning Application for residential apartment scheme comprising 6no apartments, landscaping, access off Causeway Street and ancillary works

Recommendation

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

Addendum Recommendation

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

Addendum 2 Recommendation

It is recommended that the Committee note the contents of this Addendum and agree to grant planning permission as per the recommendation provided at Paragraph 9.1 in the Planning Committee Report.

Addendum 3 Recommendation

It is recommended that the Committee note the contents of this Addendum and agree to grant planning permission as per the recommendation provided at Paragraph 9.1 in the Planning Committee Report.

Addendum 4 Recommendation

It is recommended that the Committee note the contents of this Addendum and agree to grant planning permission as per the recommendation provided at Paragraph 9.1 in the Planning Committee Report.

The Development Manager (Local Applications) presented via powerpoint as follows:-

- The above application is an objection item with 15 objections and was initially presented at the January Planning Committee meeting. A list of the objection points are set out and assessed in full in the Planning Committee pack relating to impact on character, over development, impact to amenity, loss of light, overshadowing, building line, car parking.
- A site visit was also carried out in February and a note circulated.
- The application was deferred to seek the submission of a daylight and sunlight study and was brought back to Committee in April. It was deferred again in April to allow consideration of a further objection and neighbour notification of additional information.
- The application was further deferred at the May meeting due to concerns in relation to the assessment due to inaccurate plans of the neighbour's property. This has now been amended and assessment is complete including a second addendum to the study. Neighbour notification is complete and no further objections have been received.
- There are 4 addenda to the Committee report, Addendum 4 is the latest and provides an update on the revised drawings and revised light and shadow study. As set out in the addendum the impacts of the proposed apartment block do not fall below the BRE standards. The BRE guide references provides recognised assessment, methodologies and guidance relating to daylight and sunlight amenity.
- (Slide) The red line of the site located in the settlement of Portrush as set out in the Northern Area plan 2016 with the East Strand to the north and east, with the site fronting onto Causeway Street. Rear access to the site

is located further south along the back of recent apartment developments. Terraced housing is across the road and is a mix of 2/3 storey.

- An access lane is adjacent to the northern boundary and single residential property further north. To the immediate rear is an access lane where it terminates behind the site. The Council East Strand amenity building is to the east.
- The block plans on the right of the slide details the extent of the development. The proposed development respects the building line of the adjacent apartment developments and that part shown in green is a flat roof to the basement car parking. The green to the side of the building illustrates the set back of the shared boundary. This was one of the changes made during the application process to improve the relationship with the existing apartments.
- (Slide) The proposed front elevation respects the ridge height and presentation of the adjacent block. The assessment of the proposed scheme is accordance with Policy QD1 of PPS 7 as set out in the Planning Committee Report. We have no concerns in relation to the character scale and design of the proposal.
- The side elevation is similar to the adjoining block. High level windows and obscure glazing have been used to ensure no overlooking of neighbouring properties. Screens with obscure glazing have been used to the balconies. The side image also details the basement level.
- (Slide) The rear elevation with the underground car parking and 3 levels of accommodation. The 3 small windows are set back to provide relief to the neighbouring apartment block and the balconies are set 1.6m off the boundary. Objections were received from the existing apartment block and amendments were sought during the application process to provide increased separation and screens to the balconies. The rear elevation also provides neighbouring property No. 53 Causeway Street in context.
- (Slide) The top section of the proposed development details the development through from Causeway Street to the rear access. The set back previously discussed to provide relief to the adjoining apartment scheme can be seen here. The proposed high level windows have been positioned so there are no direct views into the adjoining apartment block windows.
- The bottom section is the rear return of the adjoining apartment block.
- (Slide) The existing building on Causeway Street shown in the slide to the left. To the right the image showing the gable of the existing building, access road to Strandmore development and No 53 Causeway Street. A detached dwelling with windows facing the site.
- (Slide) Views of Causeway Street and the rear return of the adjacent apartment development. Photo on the right taken from the garden of No. 53 showing the site.

- (Slide) The site shown on the right with the significant change in level from Causeway Street to the rear.
- (Slide) The site again and No 53. No 53 has objected to the development as detailed in the Planning Committee Report. The agent in response to concerns of the loss of light and overshadowing have submitted detailed studies to demonstrate that the proposed development will not result in a significant loss of light that would warrant a refusal. The assessment is set out in the Planning Committee Report.
- (Slide) This image is taken from one of the reports and relates to overshadowing from the development. The blue outlined areas represent the amenity area, the green the existing area of direct sunlight and red the proposed area of direct sunlight. The yellow hatched is the area where there is expected to be loss or gain. Area 1 to the Causeway Street shows loss of light to the boundary from the proposed development and 1% of loss to the rear.
- (Slide) The neighbouring property rear amenity space.
- (Slide) The existing windows to correlate to the floor plans taken from the study with potential loss of skyline reduction is most likely noted in the kitchen. The Council report concludes that 2 main windows serving a kitchen and unknown room are marginally below the numerical guidelines. However, as the kitchen is served by further windows that meet the Vertical Sky Component and as both rooms retain high levels of skyline, the effect of the development is unlikely to be noticeable to the occupier.
- It has been demonstrated that the design and layout is not considered to create conflict with adjacent land uses and there is no unacceptable adverse effect on existing or proposed properties in terms of overlooking, loss of light, overshadowing, noise or other disturbance.
- All other objection points have been fully considered in the case officer report, the proposal is considered to be in compliance with relevant planning policy and guidance.

The Chair invited questions from Elected Members for the Officer.

There were no questions put to the Officer.

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

P Reid stated as follows:-

He has have lived at 53 Causeway Street for 15 years and have looked after the area for that period of time. He has a wife and 2 children and work locally. I wish to raise a number of points. In respect of spacing – Creating Spaces and PPS7 the vertical sky component should be 27% and is only 25%. P Reid

referred to and read from BRE209 in relation to sunlight and considered the plans to be outside of PPS7 guidance. P Reid advised that his kitchen windows will be subject to a 46% loss of sunlight which is nearly half and his property is only 9m away and not 30m as stated. He stated that of the last development built 5 properties still for sale so perhaps no longer a desire to move this part of town into tourism and driving out families. P Reid asked Members to imagine standing at their own kitchen window with a new 3 storey building 9m beside, would you consider that reasonable or acceptable?

The Chair invited questions from Elected Members for the speaker.

There were no questions put to the Speaker.

- * ***Councillor McGurk re-joined the meeting remotely at 2.15 pm***
- * ***Councillor McQuillan re-joined the meeting remotely at 2.18 pm***

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

G McGill stated as follows:-

Recommendation by Officers is welcome and Elected Members are respectfully request to endorse Officers recommendation to approve this application. J Williamson is on line to respond to any questions in relation to overshadowing.

The Chair invited questions from Elected Members for the speaker.

At the request of an Elected Member, G McGill advised that the impact of massing had been thoroughly addressed in line with guidance and was acceptable.

The Chair requested clarity on the reference made by the objector in relation to loss of light and requested J Williamson to address the Committee. J Williamson advised that BRE Guidance stated that windows should receive at least 25% of existing light and the proposal ensures lighting in excess of this, which, is in fact, double the guidance; During daylight hours there are minor deviations to two windows but the effects are considered acceptable.

At the request of the Chair, the Development Manager (local applications), in relation to spacing, referred Elected Members to Creating Places guide for residential development stating separation distances from rear to rear was 30 m for apartments and balconies and there was no guidance for side to side; Consideration has been given to character and spacing in the street, light and overshadowing and lights tests and Officers are satisfied, given that no side distance guidance is available.

Proposed by Councillor Nicholl

Seconded by Councillor McMullan

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

The Chair put the motion to the Committee to vote.

10 Members voted For; 0 Members voted Against; 2 Members Abstained

The Chair declared the Motion Carried and the application approved.

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

* **Councillor Storey left the Chamber at 2.33 pm.**

6.6 LA01/2022/0761/F, Objection, 26 Seafield Park, Portstewart

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

Objection Application to be determined by Planning Committee

App Type: Full

Proposal: Demolition of existing single dwelling and construction of a new 2-storey dwelling.

Recommendation

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

Senior Planning Officer presented via power point presentation as follows:

- This application is a local application being presented to the Committee as an objection item with a recommendation to approve. There have been 28 objections to the proposal. The objection points are set out in Section 5 of the Committee Report and mainly relate to character, loss of privacy, overlooking, overshadowing, increased traffic and parking concerns, overdevelopment of the site and dominance. These points and others have been considered in full in the Planning Committee Report. During

the processing of the application the proposal has been amended from 2 new dwellings to one replacement dwelling.

- (Slide 1) The site, as outlined in red, is located within the settlement development limit for Portstewart. It is not subject to any specific zonings or designations as set out in the Northern Area Plan 2016. The site is located within a residential area, comprised of a mixture of dwelling types.
- (Slide 2) The site currently comprises a detached single storey dwelling with front and rear amenity and in curtilage parking. You can see the position of the existing dwelling relative to the neighbouring properties.
- (Slide 3) This is the proposed site plan indicating the proposed dwelling, amenity areas to front and rear, and parking. An existing access at the western end is to be closed up.
- (Slide 4) The existing and proposed street elevation. The layout, scale, massing and design are considered to respect the surrounding context and are appropriate to the character and topography of the site.
- (Slide 5) The proposed ground and first floor plans, indicating the layout of accommodation.
- (Slide 6) The proposed elevations. The highest point of the ridge being approximately 6.7 metres above ground level. The roof is of an uneven design, with the overall design approach modern in style. The critical views along the frontage onto the street are satisfactory.
- (Slide 7) This is a view of the site on approach from the eastern side, heading down Seafield Park.
- (Slide 8) Front context
- (Slide 9) Image of the existing dwelling. The access point at this western end is to be removed.
- (Slide 10) View of the rear of the application site, facing east, towards the neighbouring property at No. 24 Seafield Park.
- (Slide 11) View of the rear of the existing dwelling and application site, facing west.
- There have been no objections raised by consultees.

- As previously stated, the proposal was amended during processing from 2 new dwellings to one replacement. The proposal does not therefore result in overdevelopment of the site and there is no change to the existing density. Adequate parking for the proposed replacement dwelling can be accommodated within the site.
- Earlier iterations of the scheme included rear balconies, these have since been removed and the proposal as amended results in a reduced scheme for a single replacement dwelling. It is considered that the amended proposal does not result in any unacceptable overlooking, overshadowing or loss of light given the orientation of the site and the adequate separation distances.
- The application has been fully assessed in relation to the relevant policy considerations, and the amended proposal for a single replacement dwelling is considered acceptable. The recommendation is for approval.

Proposed by Alderman Scott

Seconded by Alderman Coyle

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

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried and 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 Approve planning permission subject to the conditions set out in section 10.

* **Alderman Scott left the Chamber at 2.40 pm**

6.7 LA01/2022/1182/F, Objection, 66 Burnside Road, Portstewart

Report, presentation and Speaking Rights Templates were previously circulated and presented by Senior Planning Officer, R Beringer.

Objection Application to be determined by Planning Committee

App Type: Full

Proposal: Construction of 3 No. Detached Dwellings

Recommendation

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

Senior Planning Officer presented via powerpoint as follows:

- This application is a local application being presented to the Committee as an objection item with a recommendation to approve. There have been 50 objections to the proposal. The objection points are set out in Section 5 of the Committee Report and mainly relate to loss of privacy to amenity, overshadowing/loss of light, overlooking, dominance, insufficient separation, increased traffic and parking concerns, character, and overdevelopment of the site. These points and others have been considered in full within the Planning Committee Report. During the processing of the application the scheme has been amended, reducing the number of dwellings provided from 4, in 2 pairs of semi-detached, to 3 detached dwellings.
- (Slide 1) The site, as outlined in red, is located within the settlement development limit for Portstewart. It is not subject to any specific zonings or designations as set out in the Northern Area Plan 2016. The site is located within a residential area, comprised of a mixture of dwellings and apartments opposite the site.
- (Slide 2) The proposed site plan indicates the position of the 3 dwellings, and their relationship with the neighbouring properties both on Burnside Avenue and Larkhill Road. In-curtilage parking and amenity areas are provided for each dwelling. Having regard to the character of the surrounding area, it is considered that the proposal respects the surrounding context and is appropriate to the character and topography of the site.
- (Slide 3) These are the proposed elevations for sites 1 and 2, fronting onto Burnside Road. Site 1 is the left hand dwelling and is closest to the neighbouring property at No. 68. The dwellings are designed to have the appearance of a 2 storey dwelling with attic accommodation and have been reduced in scale during the processing of the application. Adequate separation is provided between the proposed dwelling unit 1 and the neighbouring property at No. 68.

- (Slide 4) This is the proposed elevation for unit 3, which presents a dual frontage onto both Burnside Road and Larkhill Road.
- (Slide 5) These are floor plans for the proposed dwellings.
- (Slide 6) These are the contextual elevations, which show the design of the dwellings in the street context from both Burnside Road and Larkhill Road. The design responds to the topography of the site. The proposal respects the surrounding context, respecting the building lines to both roads, and is appropriate to the character of the surrounding area. Proposed materials are acceptable and in keeping with this urban area.
- Moving to some photographs of the site
 - (Slide 7) View of the site itself, with the existing 2 storey dwelling and attached double garage.
 - (Slide 8) View of the site from the junction with Larkhill Road, you can see from the photos the level changes at the rear of the site, with the properties along Larkhill Road sitting at a higher level.
 - (Slide 9) View across the rear of the site from Larkhill Road.
 - (Slide 10) View along Burnside Road.
 - (Slide 11) View from the rear of the site, along the boundary with No. 68, facing towards Burnside Road.
- Consultation with necessary consultees has been carried out. Appropriate conditions are included in response to NI Water matters.
- As previously stated, the scheme was amended during processing to reduce the number of dwellings provided from 4 to 3. It is considered that the proposal for 3 dwellings does not result in overdevelopment of the site and respects the existing pattern of development, with the plot sizes and density in keeping with the area. The design of the dwelling at unit 1 has been amended to increase the separation distance between the proposed dwelling and the existing dwelling at No. 68 Burnside Road, with the separation distance widening on each floor level. It is considered that the proposal will not adversely harm residential amenity given the separation distances provided, both to properties on Burnside Road and Larkhill Road, and the amendments to the design of the proposal.
- The proposed new dwellings will have front garden areas, in curtilage parking and turning, with integral garages. Adequate private amenity

space is provided to the rear for each dwelling, and appropriate boundary treatments are included.

- The application has been fully assessed in relation to the relevant policy considerations, and the amended proposal for the construction of 3 detached dwellings is considered acceptable. The recommendation is for approval.

The Chair invited questions from Elected Members for the Officer.

At the request of an Elected Member, the Senior Planning Officer advised of the position regarding NI Water and the Head of Planning clarified the position in that the condition raised had the potential for a solution to be reached.

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

G Dodds stated as follows:-

“The Committee Report sets out how this scheme meets all relevant local planning policy and guidance as well as properly considering all third party representations. Statutory consultees have also given due consideration to the proposals and identified no concerns, recommending planning conditions where appropriate. While NI Water have indicated in their response that capacity in their infrastructure is not currently available, the applicant has reached an advanced stage in the Wastewater Impact Assessment process. The subject site comprises land currently developed as a vacant detached two-storey dwelling set on a large plot of land at the junction of Burnside Road and Larkhill Road. The proposal seeks permission to develop three high quality detached homes of modern contemporary design which respect the established context and character of the area. The proposed development will return a vacant site back into long term sustainable use. The density of development at 19.5dph is in keeping with that found in the existing surrounding area while the provision of detached homes is in keeping with the character of the area.

The proposed scheme seeks to create animation in the elevations to respond appropriately to this nodal location on a crossroads. The southern elevation of Unit 3 is also designed as a dual aspect dwelling to take account of the corner plot and create interest onto Larkhill Road. The dwellings are proposed to be finished in a high-quality palette of materials which complement and assist in breaking down the built form of the proposed dwellings allowing clear articulation of the ground, first floor and roofscape. The elevations demonstrate that the combination of materials and articulation of the elevations contribute to the built form in achieving a high-quality architectural design which will make a very positive contribution to the local streetscape. The dwellings are designed

to work into the levels of the site which fall to the road junction from both the north and west. The contextual elevations submitted in support of the application, and exhibited in the Committee Report, demonstrate that the scale and massing of the dwellings do not appear incongruous in the streetscape. The applicant and design team have taken account of the feedback and comments received from both the Planning Officers and third party representations throughout the application process and the proposal has been refined to address the concerns raised. The revised scheme ensures that there is no significant detrimental impact on the amenity of the neighbouring properties through the design and arrangement of the dwellings before members for consideration today. There are no windows overlooking the amenity space of the neighbouring properties and the arrangement of the dwellings was revised to create enhanced separation to the neighbouring property at 68 Burnside Road. A sun path analysis was undertaken which demonstrates that the development will not result in unacceptable overshadowing of the neighbouring properties or their amenity space. Private amenity space and parking to serve the dwellings are provided in full accordance with the standards set out in the Creating Places guidance document. The site is also enclosed by appropriate fences and landscaping. The landscaping scheme comprises both structural and ornamental planting to promote integration of the built form, soften instances of the hardstanding in the form of private driveways and to enhance the quality of the living environment for prospective residents.”

*** Councillor Storey rejoined the meeting in the Chamber at 2.50 pm**

Proposed by Councillor McMullan

Seconded by Councillor Kennedy

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

The Chair put the motion to the Committee to vote.

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

The Chair declared the motion carried and application Approved.

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

The Chair declared a recess at 2.55 pm

The meeting reconvened at 3.00 pm

The Head of Planning undertook a roll call.

6.8 LA01/2023/0482/F, Referral, Lands approximately 146m SW of no. 132 Clooney Road, Eglinton

Report, presentation, Addendum 1 and 2, Speaking Rights Template, Site Visit Report, by Senior Planning Officer, J McMath.

Referral Application to be determined by Planning Committee

App Type: Full

Proposal: Retention of existing mobile coffee kiosk, ancillary portaloo and storage container

Recommendation

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

Addendum Recommendation

That the Committee note the contents of this Addendum and agree with the recommendation to Refuse the application in accordance with Sections 1 and 9 of the Planning Committee Report.

Addendum 2 Recommendation

That the Committee note the contents of this Addendum and agree with the recommendation to Refuse the application in accordance with Sections 1 and 9 of the Planning Committee Report.

Senior Planning Officer presented via PowerPoint as follows:

- Full planning permission is sought for the retention of an existing mobile coffee kiosk, ancillary portaloo and storage container at lands 146m SW of 132 Clooney Road, Eglinton.
- Background to the proposal is that a farm shop was granted permission in 2021 and was subject to conditions that it was for the sale of farm produce only in line with planning policy.
- The site is located in the rural area approximately NW of Greysteel and is not subject to any environmental designations as provided by the Northern Area Plan 2016.

- The proposal seeks to retain the already operating mobile coffee kiosk, portaloo and storage container. For completeness I would advise that the submitted plans show a different layout arrangement from that which currently exists on site and the storage container currently on site is larger than shown on the submitted drawings. The site also displays picnic tables, parasols and an EV charging point which are not part of this application. From various site visits during the processing of the application it is clear that the operator of the coffee kiosk has changed from the original operator being a company called tank and skinnys to the current operator Ru's.
- Turning to the site details, the southern boundary and part of western boundary is defined by hedging, ranch fencing is on the western and northern boundary and the eastern boundary is undefined.
- The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 1 and 11 of Planning Policy Statement 21, in that the proposal does not meet any exceptions and it has not been demonstrated that the coffee kiosk is being run in conjunction with the agricultural operations on the farm, is not of an appropriate design, fails to integrate and will have a negative impact on the character of the countryside. No overriding reasons why the development is essential and could not be located in a settlement for the development have been forthcoming.
- Firstly, the coffee kiosk and ancillary structures are not considered to meet any of the exceptions for development in the countryside outlined in para 6.279. Therefore turning to whether the proposal is a farm diversification project, the SPPS and PPS21 requires the project to be run in conjunction with the farm business. In this case the applicant has not demonstrated that the project is run in conjunction with the agricultural operations of the farm business. The retrospective project was run under the business name "tank and skinnys" and the business provider was changed to the name "Ru's". During the processing of the application a letter was submitted in March 2025 from the operator of the kiosk who stated that he was a neighbouring farmer and that he noticed an opportunity to diversify his business when the applicant offered the site for rental. This is at odds with the applicant's assertion that the proposal is run in conjunction with his farm business. The operator states that the business provides coffee and wraps to passing trade and local business. That he uses produce from the applicants farm as well as sourcing produce from other local providers. However a menu posted on social media and displayed on site, the majority

of items such as wraps, toasties, paninis, sausage rolls, scones and a variety of hot and cold drinks are not produced or made from the produce sourced on the applicant's farm.

- Turning to relevant PAC decisions quoted in the first Addendum to the committee report. The PAC decision acknowledged that although there was no explanation in policy of the requirement “to be run in conjunction with the agricultural operations on the farm” the PAC concluded that it suggests that there should be some sort of joint management of the business or some form of business connection.
- In this case it has not been demonstrated that the coffee kiosk is run in conjunction with the farm business, it is not jointly managed nor is there a business connection. The leasing of land to another business or farm business is not sufficient to justify a farm diversification project in this case. The coffee kiosk operator alludes to association with his own agricultural business however no verifiable information has been forthcoming to consider this. Even if forthcoming the siting of a coffee kiosk on land associated with a different farm business would not comply with the farm diversification policy.
- The applicant argues that the coffee kiosk complements the farm vending machine, however as condition 2 of the approval for it was restricted to the sale of goods from Longfield Farm produce only, the nature of the coffee kiosk remains contrary to policy CTY11 and the SPPS.
- Visually the proposal is roadside and even with the marginal amount of screening is visible from both directions and does not appear as a cluster of farm buildings due to the separation distance from the vending container. The cumulation of structures proposed and the nature and varying forms and designs are out of character with the rural area and are not reminiscent of traditional rural development which is detrimental to rural character. In addition, no overriding reasons have been forthcoming as to why this development should not be located within a settlement.
- In conclusion, the proposal is contrary to the SPPS and PPS21 in that a coffee kiosk, portaloo and storage container in the rural area is not an acceptable form of farm diversification project. The applicant has not demonstrated that it is run in conjunction with the farm business and the design is inappropriate in this roadside location. The proposal fails to integrate and would have an unacceptable impact on the countryside. There are no overriding reasons why it should not be located within the

nearby settlements and if permitted has the potential to set a wide ranging precedent.

- Refusal is recommended

The Chair invited questions from Elected Members for the Officer.

There were no questions put to the Officer.

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

M Kenndy stated as follows:-

Proposed kiosk is run by a local using produce from a local farm owner and served to customers on site. Proposal is compliant with legislation and enhances Hunters Farm Shop. This is clearly farm diversification as customers use kiosk and farm shop/property and proposal is run in conjunction with and financially supports the farm business. Design is a traveller style caravan design not dissimilar to those that are seen in other areas. In relation to rural character there is minimum visual impact and clusters, is well screened and vegetation exists. The proposal is CTY11 policy compliant in terms of permissive policy and clusters and complies with policies TSM 2 and 7. There have been no objections, DfI Roads are content and the application meets with tourist need.

The Chair invited questions from Elected Members for the speaker

At the request of an Elected Member, M Kennedy confirmed that the kiosk used products from the farm shop itself with the association being the farm shop providing kiosk with free range eggs, potatoes and coffee. The operator of the kiosk and the farm shop are known to each other. M Kennedy also referred to the percentage of goods supplied in relation to cauliflower, broccoli and carrots as well as Hunters potatoes.

Some Elected Members questioned the relevance of the menu at the kiosk in relation to the proposal. The Senior Planning Officer referred Elected Members to policy CTY11 Farm Diversification element which requires a connection to the farm business and explained that this proposal was from a third party operating the kiosk only. Senior Planning Officer referred to the limited items listed on the menu supplied solely from the farm shop.

An Elected Member made reference to the previous kiosk in situ at this site. Senior Planning Officer advised that the application was for the current kiosk but plans submitted do not reflect what is currently on site and reminded

Elected Members of the reasons for recommending refusal and said there was no evidence of tourist need.

Proposed by Councillor Nicholl

Seconded by Councillor McGurk

- 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 full planning permission for the following reasons:

- Compliments what is already in situ;
- There are many of these kiosks throughout the countryside;
- Approval on site previously;
- Menu irrelevant but does evidence products from farm shop;
- No objections from statutory bodies;
- Policy CTY11 is a permissive policy;
- No Local Development Plan by Council is impacting on some of these applications;
- Evident that items purchased and processed originating from farm shop;
- Approvals granted elsewhere for these types of kiosks and concern of difference of approach;
- Integrates with countryside and bound on different sides;
- Run in conjunction with farm shop on site;
- No negative impact on countryside.

The Head of Planning questioned the proposer on design, integration and impact on the countryside and cited policy.

In response Councillor Nicholl said that the proposal does integrate, is bound on different sides and the business is run in conjunction with site with no negative impact on the countryside.

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 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 full planning for the following reasons:

- Compliments what is already in situ;
- There are many of these kiosks throughout the countryside;
- Approval on site previously;
- Menu irrelevant but does evidence products from farm shop;
- No objections from statutory bodies;

- Policy CTY11 is a permissive policy;
- No Local Development Plan by Council is impacting on some of these applications;
- Evident that items purchased and processed originating from farm shop;
- Approvals granted elsewhere for these types of kiosks and concern of difference of approach;
- Integrates with countryside and bound on different sides;
- Run in conjunction with farm shop on site;
- No negative impact on countryside.

RESOLVED– That Conditions and Informatives are delegated to Officers.

6.9 LA01//2023/0615/F, Referral, 40 Strand Road, Portstewart

Report, presentation, correspondence were presented by Senior Planning Officer, M Wilson

Referral Application to be determined by Planning Committee

App Type: Full

Proposal: Erection of proposed 2 storey replacement dwelling, including attic rooms, integral garage and detached artists studio as ancillary to dwelling, including extension to curtilage and all associated works/landscaping.

Recommendation

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

Addendum Recommendation

That the Committee note the contents of this Addendum and agree with the recommendation to defer the application to allow the completion of the neighbour notification and assessment of the amended plans and Planning Statement.

Addendum 2 Recommendation

That the Committee note the contents of this Addendum and agree with the recommendation to Refuse the application in accordance with Sections 1 and 9 of the Planning Committee Report for the reasons set out in Section 10

Senior Planning Officer presented via PowerPoint as follows:

- Full planning permission is sought for erection of proposed 2 storey replacement dwelling, including attic rooms, integral garage and detached

artist's studio as ancillary to dwelling, including extension to curtilage and all associated works/landscaping.

- This application was originally presented to the March meeting of the Planning Committee. It was then deferred and following the submission of amended plans was deferred again at the April meeting to enable assessment and neighbour notification to take place.
- This is a local application and is being presented to Committee as it has been referred to the Committee for decision. You have the planning committee report and 2 addendum in front of you. There is also a verbal addendum following a further objection which was received yesterday, 22nd September.
- So by way of verbal addendum this objection raises 2 matters of concern – firstly relating to the LLPA designation and secondly to residential amenity.
- In relation to the first matter, the objectors states the applicant's argument misinterprets Policy ENV1 and PTL 06.

The supporting text to PTL 06 is explicit — “no further development is appropriate other than the replacement of existing buildings of comparable footprint and height.”

This is a key safeguard in LLPAs, ensuring new development respects the existing scale and avoids incremental overdevelopment. The proposed dwelling is not comparable in footprint or height.

ENV1 requires that new development should not “dominate areas of distinctive landscape and townscape character.” The proposed long frontage and substantial two-storey massing onto the cliff path clearly dominate the coastal character, unlike the low-lying bungalow currently on site. The developer's suggestion that Rock Drive or Strand Road set the context is misplaced: those properties are outside the Dominican Walk LLPA and cannot be used as a precedent within this protected designation. The relevant context is the immediate cluster of modest dwellings abutting the cliff path.

Quality and character impact: The proposal is further forward & increases its bulk, materially altering views from the public right of way and eroding the open coastal character identified in the LLPA designation. This is a clear adverse effect on the features ENV1 seeks to protect.

- In relation to the second matter and the residential amenity of No. 38 Strand Road, the objector says the developer's claims underestimate the impact.

Bulk and massing - Even if the ridge is only marginally higher than No. 38, the overall scale, width, and forward positioning create an oppressive and overbearing relationship. Ridge height alone does not capture the increased massing, which the Officer Report correctly identifies as unacceptable.

Proximity: A gable-to-gable distance of 7 m is only acceptable where the relative scale and height are comparable. In this case, the two-storey bulk, combined with the forward projection toward No. 38, produces an overbearing effect

Outlook and overshadowing: The developer suggests "negligible" impact on sunlight. However, overshadowing is not only about direct sunlight but also the sense of enclosure, reduced sky visibility, and loss of outlook. The increased height and bulk to the south will materially reduce the amenity of No 38.

Privacy: Even a single first-floor gable window risks overlooking. The need to propose obscure glazing itself highlights the unsuitability of the design in such proximity.

The objector respectfully urges the Planning Committee to uphold the recommendation of refusal. These 2 matters of concern are considered within the Planning Committee Report and 2 addendum with the recommendation to Refuse.

Moving onto the presentation:

- (Slide) This is the red line of the application site, and the application site is located within the settlement limit of Portstewart as defined in the Northern Area Plan 2016.
- [SLIDE] The site is within Northern Area Plan designation PTL 06, Dominican Walk, a Local Landscape Policy Area and is subject to the policy requirements of this LLPA and Policy ENV 01 of the NAP. This is a satellite image showing the site in relation to the Strand Road and cliff path and the neighbouring development. It should be noted that the dwelling sits below Strand Road. This slide also shows the site within the LLPA designation.

- (Slide) This next slide shows the site plan of the existing dwelling on site. And then this next slide shows [SLIDE] shows the proposed site plan and the footprint of the proposal on the site – you will note it is proposed to move the dwelling slightly further forward on the site and closer to no.38 than the existing.
- (Slide) This shows the existing single storey bungalow which has a long frontage when considering the integral garage and conservatory but displays a typical and traditional gable width and height associated with a single storey dwelling. Notwithstanding there is a dwelling on the site, the site lies within the settlement of Portstewart so the principle of developing the site is acceptable. However, as this site lies within the LLPA PTL 06 it is subject to the policy constraint that *“No further development is appropriate, other than the replacement of existing buildings of comparable footprint and height.”*
- Therefore, any proposal will need to be of a comparable footprint and height to meet this principle requirement.
- (Slide) This next slide shows the proposed dwelling which is substantially larger, spread over 2 floors and a larger footprint to the existing. You can see the proposed elevations are not comparable to the existing single storey dwelling.
- This application was previously presented to Members with a recommendation to refuse and amendments have since been made revising the proposal. This consideration is set out in Addendum 2 for your information.
- [Slide] These next slides illustrate a comparison between the scheme previously presented to Members and the proposal now under consideration. The red indicates the original scheme presented [Slide] and the other 2 elevations.
- (Slide) These next 2 slides illustrate the proposed floor plans of the dwelling; this is the ground floor plan with day to day living accommodation and integral double garage; [SLIDE] the first floor plan which is mainly bed accommodation with balconies.
- (Slide) Just like the earlier slides showing the comparison in elevations, this slide shows a comparison on the floor plan previously at Committee relative to the floor plan now under consideration. As you can see this proposal now slightly narrows the overall frontage length by reducing the

dwelling at either gable, and a slight reduction in overall width on the south elevation. What was previously presented to committee and what is presently under consideration by Committee is comparable in footprint and height to each other however the position remains that the current proposal to replace the single storey building cannot be considered comparable to the existing building as required by policy.

- So just moving onto some photos of the site.
- (Slide) This shows the site in context for the access which is taken from Strand Road and you can see the dwellings sit below the level of Strand Road
- (Slide) A view from the north of the site looking back towards the Strand, illustrating how the existing dwelling sits comfortably within the site and the surrounding context.
- (Slide) This next slide shows the relationship between the dwellings at No.40, which is to be replaced, and No.38
- (Slide) Moving down onto the Cliff Path/Dominican Walk where the main critical views are, this is a slide showing the existing dwelling when looking north, towards Dominican College, and you will note the wall surrounding Rock Castle which was originally a listed building and now has apartments.
- (Slide) This is a view from the path looking south and again you will see the site at No.40 with the surrounding development and how this sits within its environment.
- (Slide) This next slide shows the existing montage and an illustrative montage which includes development that has not been constructed as you will note from the 2 images. You will note how much more prominent the proposal is compared to the existing. Again, another contextual elevation which shows the proposal has a footprint much wider than the developments either side.
- (Slide) Then moving onto the final couple of slides, as the policy requires the *replacement of existing buildings to be of a comparable footprint and height*, this illustrates the existing dwelling which is outlined in red with the proposal. You can see scale, massing and dominance of the existing compared to the proposed and how much more significant the overall

scale, height and massing are.

- You should also note the comparison on the right hand side of the slide is the northern elevation of the proposal which abuts No. 38 and the overall increase and impact this elevation may potentially have on the existing amenity of no. 38.
- (Slide) This final slide just illustrates the existing dwelling to No.38 and the relationship, and you will note the patio doors accessing out to the external area of no. 38. The proposal proposes to bring this gable closer to no.38 and significantly increase the overall bulk and massing to no.38 which is considered unacceptable.
- As the proposal is within the settlement limit it is required to meet the requirements of PPS7 and the Addendum to PPS 7– this assessment is set out in Para 8.12-8.33 and Addendum 2, and it is concluded that the proposal fails to meet the relevant criteria due to the size and scale of the proposal and its impact on the neighbouring dwellings, particularly no.38 as illustrated in this photo.
- There have been 4 objectors to the proposal and the issues raised are set out in Para 5.1 of your report and then considered within the report and under the section OTHER MATTERS paras 8.38-8.45 and within the verbal Addendum and Addendum 2.
- As the proposal fails to provide a quality residential environment, if approved, it would be contrary to criterion (b) of Policy LC1 of Planning Policy Statement 7 Addendum and Policy QD 1 of Planning Policy Statement 7 criteria (a), (g) and (h)
- There are no objections from consultees. While the agent has submitted what they consider to be comparable replacement dwellings, these are not within the LLPA designation PTL06 and therefore cannot be compared and are distinguishable from the subject application.
- Refusal is recommended.

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

At the request of Elected Members, the Senior Planning Officer provided narrative on comparisons to adjacent properties and why the building did not sit comfortably with surrounding buildings. He referred to the impact when walking along Dominican Walk advising that the existing building is not distracting and

is unimposing. He advised that it was a case of considering all in the round and making a judgement call. The Senior Planning Officer further advised that there had been minimal changes to the proposal since last presented to the Planning Committee.

The Chair invited D Donaldson to speak in support of the application

D Donaldson stated as follows:-

Application was submitted in 2023 and was now substantially reduced in scale, is within the settlement development limit of Portstewart with the local context illustrated. Application is within LLPA and ENV1 policy compliant. The features do not dominate and significantly there is no impact on shore line and no impact on grass areas. There is no further development of comparable footprint height so guidance is ambiguous. The proposal does not offend ENV1. The Officer is asking the Committee to ignore a 3 storey and existing permission and focus on 2 properties namely 34 and 36. Does not impact key features. Revised application is 1 cm higher than no 38 and looking out towards the sea with only 1 first floor window. The proposal will sit to south of no.38a with negligible impact on light, does not harm feature LLPA as same height as property on one side with a higher property on the other. Sustainable development approved where no harm will be caused.

The Chair invited questions from Elected Members for the speaker.

At the request of an Elected Member in relation to LLPA requiring consideration in its entirety, D Donaldson said that the Committee must have regard to Development Plan unless material consideration indicates otherwise; existing dwelling does not reflect its context. If you walk along Dominican Path, beautiful coastal settings exist with significant development. Officers interpreting guidance in PTL06 where there is ambiguous wording in terms of the word 'comparable' i.e. comparable to what? Where would harm be caused?

At the request of an Elected Member, D Donaldson further spoke on the word comparable and said it was all about context and referred to the specific requirements of PTL04 and spoke about variations within the Plan that can be interpreted differently.

At the request of The Chair, M Bell referred Elected Members to the linear photo looking at coastal path.

At the request of the Chair, the Senior Planning Officer spoke of the comparables in terms of footprint and height specifically put into policy. Grass can be seen to rear of site and site is on cliff path. There is not a neat street line and middle block set much further back on site.

* **Councillor Nicholl left the Chamber at 4.28 pm.**

The Head of Planning clarified wording relates to existing building rather than context.

At the request of an Elected Member the Senior Planning Officer said there was absolutely room for compromise on this proposal.

Proposed by Councillor Watton

Seconded by Councillor McMullan

- That Planning Committee defer to accommodate a site visit to view in context and meeting between Planners and Agent to allow discussion and agreement, following which, Officers are delegated to issue decision if recommendation is to approve.

The Chair put the motion to the Committee to vote

10 Members voted For; 0 Members voted Against; 0 Members Abstained

The Chair declared the Motion Carried.

RESOLVED - That Planning Committee defer to accommodate a site visit to view in context and meeting between Planners and Agent to allow discussion and agreement, following which, Officers are delegated to issue decision if recommendation is to approve.

* **Councillor Storey left The Chamber at 4.40 pm.**

5.13 LA01/2023/0580/F, Referral, Site Between 56 & 58 Ballykenver Road Armoy

Report and presentation were presented by the Development Management Manager (Local Applications)

Referral Application to be determined by Planning Committee

App Type: Outline

Proposal: Single new infill dwelling (part 2 storey & part 1.5 storey) with extended garage and covered area, associated siteworks and alterations to existing shared entrance.

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.

Development Management Manager presented via PowerPoint as follows:

- A referred item for site between 56 and 58 Ballykenver Road for a infill dwelling, part 2 storey and part 1.5 storey with extended garage and covered area associated siteworks and alterations to existing shared entrance.
- (Slide) The site location plan showing the site in context with No.s 60, 58 and 56 Ballykennver Road. The site is located in the countryside and PPS 21 applies.
- The application has been submitted for infill development which policy permits in the instance of a small gap site sufficient only to accommodate a maximum of 2 houses within a substantial continuously built-up frontage and provided this respects the existing development pattern along the frontage in terms of size, scale, siting and plot sizes and other environmental requirements.
- No.s 60 and 58 are a pair of semi-detached dwellings that front the Ballykenver Road and count as 2 buildings. Within the plot of No 58 is a garage which counts as a third building fronting the Ballykenver Road. No 56 is not a building along the road frontage as only its access fronts the Ballykenver Road. This is a well established principle within the policy and reinforced by the PAC.
- (Slide) Block plan showing the 2 semi-detached dwellings and the existing garage. There is not a gap for the purposes of an infill dwelling.
- The proposed development is to the rear of the existing garage and house with the proposed house extending across the rear of the site.
- (Slide) The proposed dwelling is an L-shape with attached garage, covered area and 1.5 storey dwelling with 2 storey to the rear.
- (Slide) Proposed 1st floor accommodation and east elevation.
- (Slide) Aerial shot of the site showing as back land development. Development of this site does not reflect the character of the surrounding area in terms of the size, scale, siting and plot sizes.
- (Slide) The site is to the rear of the fence and does not present as a gap site within a substantially and continuously built-up frontage but as a back garden to the rear of the existing development.

- (Slide) The garage and access. The proposed access requires alteration, and no amended plans were submitted to demonstrate that a safe and convenient access can be provided with car parking.
- (Slide) Photo of the pair of semi-detached dwellings
- (Slide) The access lane to No. 56.
- (Slide) The context of the site. Also referenced is a recent appeal with confirms the established principle that there is not a gap if there is a building on the site, such as the garage. The proposal fails to meet with Policy CTY 8 as the application site does not represent a small gap site within a substantial and built-up frontage. Furthermore, the proposed dwelling does not respect the existing character and surrounding pattern of development.

The Chair invited questions from Elected Members for the Officer.

At the request of an Elected Member the Development Management Manager reiterated what was required within the policy.

An Elected Member referred to para.4.6 of SPPS – provision of infill gap. Development Management Manager advised that this was not a gap site as the gap was not capable of accommodating the development, does not meet plot sizes and does not have roadside frontage; site referred to by the Elected Member is not comparable to this and a gap site cannot be so if there is a building in situ; No 56 does not have frontage and policy does not have to be in line.

The Head of Planning reminded Elected Members of the Glassdrumman Road and East Road Drumturn Judgments and of material facts on the ground; The Head of Planning also confirmed the Ribbon Development and Infill Policy.

Proposed by Alderman S McKillop

Seconded by Councillor Watton

- That Planning Committee defer LA01/2023/0580/F, Referral, Site Between 56 & 58 Ballykenver Road Armoy for a site visit to enable Elected Members to familiarise themselves with the proposed site.

The Chair put the Motion to the Committee to vote.

8 Members voted For; 1 Member voted Against; 1 Member Abstained.

The Chair declared the Motion Carried.

RESOLVED - That Committee Defer for a site visit to enable Elected Members to familiarise themselves with the proposed site

- * **The Chair declared a recess at 4.55 pm**
- * **The meeting reconvened at 17.12 pm**

The Head of Planning undertook a roll call.

Alderman Coyle, Councillor McGurk and Councillor McMullan did not return to the Chamber after the recess.

The Chair reminded the Committee of the quorum required under Standing Orders.

7. REPORTS FOR DECISION

7.1 TPO Confirmation – New Row, Kilrea

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

Purpose of Report

To present the TPO confirmation with modification for Lands adjacent to 18 New Row, Kilrea.

Background

Under Sections 122 and 123 of the Planning Act (NI) 2011 and the provisions of the Planning (Trees) Regulations (Northern Ireland) 2015 the Council may make Tree Preservation Orders (TPOs) to afford statutory protection to selected trees or woodlands if their removal is likely to have a significant impact on the local environment and its enjoyment by the public.

Trees can have a high amenity value and can make an important contribution to the environment, creating a varied, interesting and attractive landscape. They can help define the character of an area and create a sense of place acting as landmark features in urban and rural areas. They also have nature conservation, historic and recreational value. Trees in the Northern Ireland landscape are limited, therefore, where they do exist their contribution is valued.

The Council may make a TPO for the purpose of protecting trees if they are considered to be of special value in terms of amenity, history or rarity, which may or may not be under threat. Therefore, to be considered for a TPO, trees must be of high amenity value and in reasonable condition. The following criteria are used when assessing the merits of a potential TPO:

- **Potential Threat:** Priority will be given to the protection of those trees deemed to be at immediate risk from active felling or damage from development on site. All other requests will be assessed and prioritised accordingly.
- **Visibility:** The extent to which the trees or woodlands can be seen by the general public will inform the assessment of whether the impact on the local environment is significant.
- **Individual Impact:** The mere fact that a tree is publicly visible will not itself be sufficient to warrant a TPO. The tree's particular importance will be assessed by reference to its size and form. Its future potential as an amenity should also be assessed, taking into account any special factors such as its screening value or contribution to the character or appearance of an area. In relation to a group of trees or woodland, an assessment will be made of the collective impact.
- **Wider Impact:** The significance of the trees in their local surroundings will also be assessed, taking into account how suitable they are to their particular setting, as well as the presence of other trees in the vicinity.
- **Historical Importance:** Certain trees, because of their age, association with the setting of listed buildings, or the contribution they make to the special character of a conservation area, may require consideration for TPO protection.
- **Rarity:** There may be occasions where a tree(s) may be considered for TPO protection solely on the grounds of its rarity. The priority of the consideration will reflect the rarity of the species. All types of tree can be protected. The Order can cover anything from a single tree to woodlands. Normally, unless a Woodland TPO is proposed, only trees over 3.5m in height are considered for a TPO. Hedges, bushes and shrubs will not be protected.

In terms of the process and timescales, a Provisional TPO is normally served first, with the final confirmation within six months, or it can be allowed to lapse if it is considered, as a result of detailed assessment, that the trees are not considered worthy of protection.

Site Context

The site is located to the south of Kilrea's Town Centre and is adjacent to No. 18 New Row and a former telephone exchange. There is currently a planning application (LA01/2024/0320/F) under consideration for a proposed new dwelling on the site of the existing telephone exchange building. The site is also located north of the Marian Hall. The site under consideration for a TPO comprises 26 individual trees and 1 tree group (7 sycamores). The 26 individual trees comprise 7 sycamores, 14 common beech and 5 oaks.

The Northern Area Plan 2016 identifies the lands adjacent to 18 New Row as being within the Settlement Development Limits of Kilrea. Additionally, the Northern Area Plan 2016 identifies the site as being within Designation KAL 06 – Horse Fair Green LLPA.

Designation KAL 06 – Horse Fair Green LLPA outlines that this area includes a large group of mature trees on sloping ground to the northwest of the site and that

this LLPA will be retained free from any further development. There have been no planning applications (current or historical) submitted at this location

Reason for Consideration of a TPO

Following a review of TPO55 the Council's Planning Department considered that a level of protection was required for the trees, based on the contribution to their local environment and character of the area by providing an attractive landscape feature along New Row, Kilrea.

A Provisional TPO was served on site on 11th August 2025 (see Appendix 1). This notice took effect immediately and provided protection for all trees on the site for a period of six months (until 9th February 2026). In line with legislation, a copy of the Provisional TPO documentation was also posted to inform interested parties and adjoining neighbours on 11th August 2025. Copies of the Order were also attached to protected trees in obvious locations within the site on 11th August 2025. The consultation process allowed comments/representations to be submitted within 28 days from the date of Notice of the Provisional TPO (up to 8th September 2025). No objections were received.

Within this period a qualified Arboriculturist was appointed to carry out a detailed assessment of the trees, identifying the current physical condition of each individual tree, allowing for consideration of whether a tree is suitable for protection.

Detailed Assessment of Trees

The site was surveyed on 9th June 2025 (see Appendix 2). A total of 26 individual trees and one tree group (7 trees) have been surveyed. The report includes specific observations and recommendations for all trees.

On assessment of the report and in terms of recommendations for the confirmation of the TPO, it is important to note that the majority of trees are considered to be in a fair condition and suitable for TPO protection. Tree No's 6, 8, 22 (all common beech) 23 (oak) and group 27 (all sycamore) are not deemed suitable for protection due to their poor condition or low amenity value. The remaining trees are considered appropriate for TPO protection as they are in healthy condition and are considered to have visual public amenity value for road users along New Row, Kilrea.

There were no objection letters received regarding the serving of a TPO on lands adjacent to 18 New Row, Kilrea.

Summary

The site contains 26 individual trees and one group of trees. The group of trees along with Tree No's. 6, 8, 22 and 23 are not considered to be worthy or suitable for TPO protection. The remaining 22 trees are considered worthy due to their high public amenity value, being located in a prominent location along New Row, and contribute to the character of the area.

TPO to be Confirmed with modification to include all trees within the site with the exception of Trees 6, 8, 22, 23 and 27 (tree group)

Financial Implications

No financial implications for the Council

Options

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

Option 2: Resolve not to confirm the TPO.

Recommendation

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

The Chair invited the Development Plan Manager to present to the Committee.

The Development Plan Manager advised that following a review of the existing TPO 55, it was considered that a level of protection was still required as some of the trees retain their amenity value and are still worthy of consideration for a TPO.

On that basis, a Provisional TPO was served on site on 11th August 2025. On the same date documentation was posted to interested parties and adjoining neighbours, and copies of the Order were attached to protected trees in obvious locations within the site.

No representations were received within the 28 day statutory period.

A total of 26 individual trees and one tree group (consisting of 7 trees) were surveyed on site. The survey report in your pack sets out that the tree group and individual tree No's. 6, 8, 22 and 23 are not considered worthy or suitable for TPO protection.

However, the remaining 22 trees are considered worthy based on the contribution to their local environment and character of the area by providing an attractive landscape feature along New Row, Kilrea.

At the request of an Elected Member the Head of Planning acknowledged a typo in relation to the town referred to on the Agenda in relation to this item which read Coleraine instead of Kilrea.

Proposed by Councillor Watton

Seconded by Councillor C Archibald

-That Planning Committee agree Option 1: Resolve to confirm the TPO with modifications as detailed.

The Chair put the Proposal to the Committee to vote.

6 Members voted For; 0 Members voted Against; 0 Members Abstained.
The Chair declared the Motion Carried.

RESOLVED – That Planning Committee agree Option 1: Resolve to confirm the TPO with modifications as detailed

8. REPORTS FOR NOTING

8.1 Planning Application Review – Ballywoodock Road, Castlerock

Copy, previously circulated, presented by the Development Plan Manager

Purpose of Report

To present a review of the processing of historical planning applications relating to LA01/2023/0582/O and LA01/2023/0583/O at Ballywoodock Road, Castlerock

Background

Members will be aware of the following planning applications, listed for discussion at the Council's 27th August 2025 Planning Committee:

- Referral Item 5.4: LA01/2023/0582/O: Land 25m east of 62 Ballywoodock Road, Castlerock; and
- Referral Item 5.5: LA01/2023/0583/O: Land 30m west of 68 Ballywoodock Road, Castlerock.

During the consideration of the first application (LA01/2023/0582/O) Mr Ryan Brace spoke in support of the proposal. During the discussion the matter of a previous planning application on the site was raised. In response to questions from Members, Mr Brace advised the Committee that there was previously only one application on the site and that planning officials requested the submission of two separate applications.

The Committee subsequently agreed to defer both applications to enable a review of the process that led to the submission of two separate applications.

Planning History

The review highlights that two separate applications were previously submitted (LA01/2023/0769/O and LA01/2023/0770/O), not one. Both applications were received on 21st March 2023.

The red line submitted (for both applications) was the same – and each application included both the application site itself, and the maps, previously circulated.

Officials wrote to the agent via email on 24th March 2023 seeking further

information/amendments relating to *both* planning applications, as follows:
Amended P1 form – showing an accurate site address tied to a postal address.

- Site location plan – showing only the area of proposed development within the red line.
- Updated drawings to reflect the above site addresses/planning applications.

As the requested information was not received, on 25th April 2023 officials returned both planning applications (see Appendices 2 & 3).

Two new applications were subsequently received on 19th May 2023 (current planning applications LA01/2023/0582/O and LA01/2023/0583/O). Officials requested further information relating to the address of both sites, to enable the validation of both applications (see Appendix 4). Amendments were received and both applications were made valid on 6th June 2023.

Summary

In summary, two separate planning applications (LA01/2023/0769/O and LA01/2023/0770/O) were originally submitted, not one. They were both deemed invalid, and amendments were requested to enable validation. The amendments were not submitted so the applications were returned.

Two subsequent planning applications were submitted (LA01/2023/0582/O and LA01/2023/0583/O). Officials requested amended P1 forms showing the correct address, for both sites. Amendments were received and the applications are now valid and currently under consideration (both applications were deferred at the 27th August 2025 Planning Committee to allow for this review).

Recommendation

IT IS RECOMMENDED that the Planning Committee note the content of this Report.

The Chair invited the Development Plan Manger to present to the Committee.

The Development Plan Manager advised that Members will be aware of the following planning applications, listed for discussion at the Council's 27th August 2025 Planning Committee:

- Referral Item 5.4: LA01/2023/0582/O: Land 25m east of 62 Ballywoodock Road, Castlerock; and

- Referral Item 5.5: LA01/2023/0583/O: Land 30m west of 68 Ballywoodock Road, Castlerock.

During the consideration of the first application (LA01/2023/0582/O) the agent spoke in support of the proposal.

The matter of a previous planning application on the site was raised. The agent advised the Committee that there was previously only one application on the site and that planning officials had requested the submission of two separate applications.

The Committee subsequently agreed to defer both applications to enable a review of the process that led to this.

The review highlights that two separate applications were previously submitted (on 21st March 2023), not one (applications LA01/2023/0769/O and LA01/2023/0770/O refer).

The red line submitted (for both applications) was the same and each application included both the application site itself, and its adjoining site (see Maps 1 & 2 in your pack).

Officials wrote to the agent via email on 24th March 2023 (see Appendix 1 of your pack) seeking further information and amendments relating to *both* planning applications, as follows:

- Amended P1 forms – showing an accurate site address tied to a postal address.
- Site location plans – showing only the area of proposed development within the red line (for each of the applications).
- Updated drawings to reflect the above site addresses/planning applications.

The requested information was not received, therefore on 25th April 2023 officials returned both planning applications (see Appendices 2 & 3 in your pack).

Two new applications were subsequently received on 19th May 2023 (current planning applications LA01/2023/0582/O and LA01/2023/0583/O). Officials requested further information relating to the addresses of both sites, to enable the validation of both applications (see Appendix 4 of your pack). The amendments were received and both applications were subsequently made valid on 6th June 2023.

Summary

To summarise - *two* separate applications were originally submitted, not one. They were both deemed invalid, and amendments were requested to enable validation. The amendments were not submitted so both applications were returned.

Two new planning applications were submitted. Officials requested amendments. These were received and both applications were made valid. Both remain under consideration (having been deferred at the 27th August 2025 Planning Committee to allow for this review).

Recommendation: That the Planning Committee note the content of the report.

At the request of the Chair the Development Plan Manager advised that this did not change the assessment of the two relevant applications.

An Elected Member spoke of the onerous process which the applicant had to navigate.

RESOLVED – That the Planning Committee note the content of the report.

8.2 Project Management Team – Annual Monitoring Report (2024/25)

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

Purpose of Report

To present the Council's Local Development Plan (LDP) Project Management Team (PMT) Annual Monitoring Report (AMR) for the 2024/25 reporting period.

Background

The Council's Development Plan team is currently preparing an LDP for the Borough. The Council must provide a 15-year plan framework to support the environmental, economic and social needs of the Borough in line with regional strategies and policies, and with the objective of furthering sustainable development.

The LDP is prepared in three stages, as follows:

- Preferred Options Paper (POP);
- Plan Strategy (PS); and
- Local Policies Plan (LPP).

We are currently preparing a draft Plan Strategy (dPS).

The LDP is subject to a Sustainability Appraisal (SA) incorporating a Strategic Environmental Assessment (SEA) to assess any potential environmental, economic or social impacts of the Plan against a range of sustainability objectives. This iterative process is carried out at all three stages of LDP preparation.

In line with the Council's published 'Statement of Community Involvement in Planning' (SCI) the PMT was established, comprising senior council officers, plan manager and key government departments, to facilitate key consultee co-operation in the plan-making process.

The invite to participate in the PMT also extends to all party leads (or a nominee) and Council Directors. The objective is to secure expert input (in an advisory role) into the plan making process.

At Preferred Options Paper (POP) stage the PMT provided information and expert advice on a range of key strategic planning issues that the LDP should seek to address. At draft Plan Strategy stage the team provides comment on our LDP draft policy approach covering a range of topic areas.

The AMR is set out at Appendix 2, previously circulated. 2.9 It is important to note that Northern Ireland has a new LDP process, and although it was anticipated that the new regime would take some time to settle down it has been a much steeper learning curve than was originally anticipated, for all of the 11 councils (both officers and elected members) as well as the key consultees and stakeholders, and the Department for Infrastructure (DfI) in its oversight role.

DfI has, during the LDP process to date, issued a suite of guidance documents (including revisions) which the Council has taken account of during its LDP preparation. However, the Climate Change Act (NI) 2022 and Programme for Government (PFG) are also now a consideration, as will any further regional policy and guidance updates (including the Marine Plan for NI) as we continue through this process

Recommendation: That the Planning Committee note the LDP Project Management Team Annual Monitoring Report.

RESOLVED – That the Planning Committee note the LDP Project Management Team Annual Monitoring Report.

8.3 LDP – Steering Group – Annual Monitoring Report (2024/25)

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

Purpose of Report

To present the Council's Local Development Plan (LDP) Steering Group Annual Monitoring Report (AMR) for the 2024/25 reporting period.

Background

The Council's Development Plan team is currently preparing an LDP for the Borough. The Council must provide a 15-year plan framework to support the environmental, economic and social needs of the Borough in line with regional strategies and policies, and with the objective of furthering sustainable development

The LDP is prepared in three stages, as follows:

- Preferred Options Paper (POP);
- Plan Strategy (PS); and
- Local Policies Plan (LPP).

We are currently preparing a draft Plan Strategy (dPS).

The LDP is subject to a Sustainability Appraisal (SA) incorporating a Strategic Environmental Assessment (SEA) to assess any potential environmental, economic or social impacts of the Plan against a range of sustainability objectives. This iterative process is carried out at all three stages of LDP preparation.

In line with the Council's published 'Statement of Community Involvement in Planning' (SCI), the LDP Steering Group was established, comprising the Planning Committee and the Head of Planning (see TOR at Appendix 1), to:

- Ensure overview and strategic input in the Plan process, on behalf of the whole community, as well as from planning officials and the wider council.
- Deliver the LDP in accordance with the published Timetable whilst meeting statutory requirements and various tests of 'soundness'.
- Ensure the engagement of Elected Members in the LDP process.
- Agree policy options to be taken forward for assessment under the Sustainability Appraisal/Strategic Environmental Assessment.

At Preferred Options (POP) stage the LDP Steering Group was consulted on key planning issues arising within the Borough and agreement on the POP publication document.

At draft Plan Strategy stage the group will agree draft policies to be appraised through the SA process, and the dPS publication document prior to formal presentation for ratification at Full Council.

The AMR is set out at Appendix 2, previously circulated. It is important to note that Northern Ireland has a new LDP process, and although it was anticipated that the new regime would take some time to settle down it has been a much steeper learning curve than was originally anticipated, for all of the 11 councils

(both officers and elected members) as well as the key consultees and stakeholders, and the Department for Infrastructure (DfI) in its oversight role.

DfI has, during the LDP process to date, issued a suite of guidance documents (including revisions) which the Council has taken account of during its LDP preparation. However, the Climate Change Act (NI) 2022 and Programme for Government (PFG) are also now a consideration, as will any further regional policy and guidance updates (including the Marine Plan for NI) as we continue through this process.

Recommendation

It is Recommended that the Planning Committee note the attached LDP Steering Group Annual Monitoring Report.

RESOLVED – that the Planning Committee note the attached LDP Steering Group Annual Monitoring Report.

8.4 LDP – Quarterly Update

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

Purpose of Report

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

Background

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

Studies to inform the LDP Preparation

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

Housing Study

At the request of Members, the Council engaged Ulster University (UU) to carry out independent housing research on the new dwelling requirements in the Borough. The Study is being undertaken in two phases. Phase 1 is now complete and the Interim Report was discussed at a workshop held on 28th August 2025. Phase 2 (stakeholder engagement) is currently underway. The final report, scheduled for completion at the end of September 2025, will inform the LDP preparation.

Retail & Leisure Capacity Study

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

The previous Retail & Leisure Capacity Study for the Borough was undertaken in 2017. Given the intervening period and in response to a number of out of town planning applications and related appeals, an update (on the retail capacity element only) was undertaken in 2020. A new, full Study is currently being undertaken by Nexus Planning. This will ensure that the Council is taking decisions based on the most up to date evidence relating to its Borough. The Study is due to be completed in October 2025.

Recommendation

It is Recommended that the Planning Committee note the content of this Report

RESOLVED – That the Planning Committee note the content of the report.

8.5 Finance Report – Period 1-4 2025/26

Copy, previously circulated, 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 1-4 of 2025/26 business year.

Details

Planning is showing a variance of over £98k favourable position at end of Period 4 based on draft Management Accounts.

The favourable position at the end of Period 4 is due to favourable position in relation to income from planning application fees and property certificate income of over £117k.

This favourable position in relation to application fee and property certificate income is supported by a favourable position of just over £13k in salaries and wages over £4k reduction in advertisement from that predicted within the budget.

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

RESOLVED – That the Planning Committee note the content of the report.

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

The Chair advised there was no Any Other Relevant Business.

The Chair thanked all those Elected Members who met to consider the Protocol paper to be sent to Head of Planning to look at for updating scheme.

This being all the business the meeting closed at 5.55 pm.

Chair