

PLANNING COMMITTEE WEDNESDAY 22 MARCH 2017

Table of Key Adoptions

No	Item	Summary of Key Decisions
1	Apologies	<i>Councillor McLaughlin</i>
2	Declarations of Interest Item 5.5 - LA01/2016/0198/F Item 5.7 – LA01/2016/0817/O Item 5.8 – LA01/2015/1021/F	<i>Alderman Finlay Councillor Fielding Alderman Robinson</i>
3	Minutes of Planning Committee Meeting held 22 February 2017	<i>Confirmed</i>
4	Order of Items and Confirmation of Speakers	<i>Agreed</i>
5.1	LA01/2016/0144/F: 93 & 95 Strand Road, Off Laurel Hill, Social Housing	<i>Approved</i>
5.2	LA01/2016/1266/F: 31 Prospect Road, Portstewart	<i>Refuse for reasons stated</i>
5.3	LA01/2016/0519/F: South of Carhill Road, Garvagh	<i>Defer for legal opinion</i>
5.4	C/2014/0518/F: 15 Church Street Portstewart	<i>Refused</i>
5.5	LA01/2016/0198/F: 100m North West of 11 Haw Road, Bushmills	<i>Defer on legal advice</i>
5.6	LA01/2015/1008/F: 70m North of 19 Cloghan Road, Limavady	<i>Withdrawn by applicant</i>
5.7	LA01/2016/0817/O: 81m North East of 11 Ballystrone Road, Macosquin	<i>Approved for reasons stated</i>

5.8	LA01/2015/1021/F: 98A Highlands Road, Limavady	<i>Approved for reasons stated</i>
5.9	LA01/2016/0723/F: 4 Lilac Avenue, Dowland Road, Limavady	<i>Refused</i>
5.10	LA01/2016/1378/F: Lands approx. 140m South West of 2 Corick Road, Dungiven	<i>Approved</i>
6	Development Management Performance 6.1 Development Management Statistics	<i>Noted</i>
7	Development Plan 7.1 Local Development Plan 6 Month Indicative LDP Work Programme 7.2 DfC Consultation of Proposed De-Listings (East and West Rail Tunnels, Castlerock)	<i>Approved</i> <i>Agreed - Option 1: to support both de-listings and for Head of Planning to respond to DfC on behalf of Council</i>
8	Correspondence 8.1 DFC Listing Confirmation – 18 High Street, Ballycastle 8.2 DFC Listing Confirmation – Former RUC Station, Main Street, Bushmills 8.3 DFC Listing Confirmation – Lime Kiln, Murlough Road, Ballycastle 8.4 DFC Listing Confirmation – Dwelling (unnamed access lane) 28 Ballinlea Road, Ballycastle 8.5 DFC Listing Confirmation – War Memorial, Market Square, Bushmills	<i>Noted</i>
9	Matters for Reporting to Partnership Panel	<i>None</i>
10	Legal Issues	<i>None</i>
11	Any Other Relevant Business	<i>None</i>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING
COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC HEADQUARTERS
WEDNESDAY 22 MARCH 2017 AT 2 PM**

- In the Chair:** Councillor Loftus
- Committee Members Present:** Aldermen Cole, Finlay, King, McKeown, Robinson
Councillors Baird, Fielding, Fitzpatrick, McCaul,
McCandless, McKillop MA, McShane P and Nicholl
- Non Committee Members Present:** Councillor Quigley – LA01/2016/0144/F
Councillor Watton – LA01/2016/0144/F
- Officers Present:** D Jackson, Chief Executive
S Mathers, Principal Planning Officer/Development
Management Manager
G McClelland, Case Officer, Planning Service
S Mulhern, Principal Planning Officer/Local
Development Plan Manager
M Wilson, Senior Planning Officer
J Barr, Acting Environmental Health Manager
D Hunter, Council Solicitor
E Keenan, Council Solicitor
E McCaul, Committee & Member Services Officer
- In Attendance:** A McLaughlin - Application LA01/2016/0144/F
G Jobling - Application LA01/2016/0144/F
P Elwood – Application LA01/2016/1266/F
J Dallat, MLA – Application LA01/2016/1266/F
A McGonigle – Application LA01/2016/1266/F
M Bradley, MLA – Application LA01/2016/1266/F
G Montgomery – Application LA01/2016/1266/F
C Shanks – Application LA01/2016/1266/F
A Stephens – Application LA01/2016/0519/F
G Rodgers – Application C/2014/0518/F
D Thompson – Application C/2014/0518/F
M Howe – Application LA01/2016/0198/F
Application LA01/2016/0817/O
G Alcorn – Application LA01/2015/1021/F
G McPeake – Application LA01/2016/0723/F

Public (30 No.)

1 APOLOGIES

Apologies were received from Councillor McLaughlin.

2 DECLARATIONS OF INTEREST

Declarations of Interest were recorded for:

- Alderman Finlay - Item 5.5 - LA01/2016/0198/F
- Councillor Fielding - Item 5.7 – LA01/2016/0817/O
- Alderman Robinson - Item 5.8 – LA01/2015/1021/F

3. MINUTES OF PLANNING COMMITTEE MEETING HELD 22 FEBRUARY 2017

Proposed by Alderman King
Seconded by Alderman Cole and

AGREED – that the minutes of the 22 February 2017 Planning Committee were confirmed as a correct record.

4. ORDER OF ITEMS AND CONFIRMATION OF REGISTERED SPEAKERS

The Principal Planning Officer advised that application LA01/2015/1008/F had been withdrawn from the schedule.

AGREED: to receive the Order of Business as presented, subject to Application LA01/2015/1008/F being withdrawn from the schedule.

5. SCHEDULE OF APPLICATIONS:

5.1 LA01/2016/0144/F

Report, Addendum and site visit details circulated.

App Type: Full Planning
Address: No's 93 & 95 Strand Road (Off Laurel Hill Road)
Coleraine (east of No 6 Laurel Hill Road)
Proposal: Proposed Social Housing. 30 no dwellings comprising 6 no three storey 1 bed apartments, 8 no two storey 2 bed apartments, 6 no two storey 2 bed dwellings, 10 no two storey 3 bed dwellings and roadways/parking areas for Private Streets Determination.

The Principal Planning Officer presented the report and made a recommendation to the Committee for consideration. The Officer answered queries from Members.

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 Section 7 & 8 and resolves to **APPROVE** planning permission subject to the conditions set out in Section 10.

The public speakers in support and in opposition to the application addressed the Committee and responded to queries from Members.

Proposed by Councillor Nicholl
Seconded by Councillor P McShane

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 Section 7 & 8 and resolves to **APPROVE** planning permission subject to the conditions set out in Section 10.

The Chair put the proposal to the Committee to vote, 6 Members voted for, 6 Member voted against. The Chair used her casting vote in favour of the proposal. The Chair declared the proposal carried.

- * Councillors Quigley and Watton left the Chamber at 3:15 pm.
- * A recess was held from 3:16 to 3:25 pm.

5.2 LA01/2016/1266/F

Report, Addendum and site visit details circulated.

App Type: Full Planning
Address: 31 Prospect Road, Portstewart
Proposal: Amended house type (approved under C/2013/0112/F) – retention of as built dwelling, with proposed alterations to include height reduction of roofs, groundworks, alterations to fenestration and front balcony and addition of air source heat pump.

The Principal Planning Officer presented the report and made a recommendation to the Committee for consideration.

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 section 7 & 8 and resolves to **APPROVE** planning permission subject to the conditions set out in section 10.

The public speakers in support and in opposition to the application addressed the Committee and responded to queries from Members.

Members reviewed the original drawings approved under application C/2013/0112/F.

The Chair put the recommendation to approve the application to the meeting.

Proposed by Councillor P McShane
Seconded by and Councillor Nicholl

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 section 7 & 8 and resolves to **APPROVE** planning permission subject to the conditions set out in section 10.

The Chair put the proposal to a vote, 5 Members voted for, 6 voted against, 1 Member abstained. The Chair declared the proposal lost.

The Chair confirmed that the Committee had taken into consideration and disagrees with the reasons for the recommendation set out in section 9 and the policies and guidance in sections 7 & 8 and resolves to **REFUSE** planning permission for the reasons stated as follows:

- a) Not in character with other dwellings in vicinity
- b) Overlooking/effect on amenity
- c) Unsatisfactory design
- d) Contrary to PPS 7 QD 1 criteria a, g and h.

- * A recess was held from 4:40 to 4:45 pm.
- * Alderman McKeown joined the meeting at 4:45 pm.

Council Solicitor answered queries around the decision taken on application LA01/2016/1266/F.

- * Councillor Nicholl joined the meeting at 4:48 pm following the recess.

5.3 LA01/2015/0519/F

Report, Addendum and site visit details circulated.

App Type: Full Planning
Address: South of 74 Carhill Road, Garvagh
Proposal: Retrospective change of use application from auto repairs to plant hire and workshop for the repair of plant and machinery, with ancillary customer service area.

The Senior Planner presented the report and made a recommendation to the Committee for consideration. He answered queries from Members.

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

The public speaker in support of the application addressed the Committee and responded to queries from Members. He highlighted that there was case law on a similar proposal and requested that the Planning Committee overturn the recommendation due to not enough weight been given to the fall-back position as set out in 8.19 of the report.

Proposed by Alderman Cole
Seconded by Councillor P McShane

That the application be deferred for legal opinion.

The Chair put the proposal to the Committee to vote, 11 Members voted for. The Chair declared the proposal carried.

5.4 LA01/2014/0518/F

Report and site visit details circulated.

App Type: Full Planning Permission
Address: 15 Church Street, Portstewart
Proposal: Change of use from Private Nursing Unit to Residential for Multiple Student Accommodation (amended scheme)

The Principal Planning Officer presented the reports and made a recommendation to the Committee for consideration. He answered queries from Members.

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

The public speaker in support of the application addressed the Committee and responded to queries from Members.

The Acting Environmental Health Manager addressed the Committee and responded to queries from Members.

Proposed by Alderman King
Seconded by Alderman Cole

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

The Chair put the proposal to the Committee to vote, 11 Members voted for, 1 against. The Chair declared the proposal carried.

- * A recess was held from 5:42 to 5:48 pm.
- * Councillor Nicholl left the meeting at 5:48 pm.

5.5 LA01/2016/0198/F

Report and erratum circulated.

App Type: Full Planning
Address: 100m NW of 11 Haw Road
Proposal: Full planning application for 6 no glamping pods.

- * Alderman Finlay left the table at 5:49 pm having previously declared an interest in the application.

The Senior Planner presented the report and made a recommendation to the Committee for consideration. The Officer answered queries from Members.

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

The public speaker in support of the application addressed the Committee and responded to queries from Members.

It was **AGREED** that decision on the application would be deferred on legal advice.

* Alderman Finlay re-joined the meeting at 5:58 pm.

5.6 LA01/2015/1008/F

Report circulated.

App Type: Full Planning Application
Address: 70m North of 19 Cloghan Road, Limavady
Proposal: Proposed agricultural shed

The Principal Planning Officer advised that the application had been withdrawn from the schedule.

5.7 LA01/2016/0817/O

Report circulated.

App Type: Outline Planning
Address: Approx 81m East of 11 Ballystrone Road, Macosquin, Coleraine
Proposal: Proposal to develop land for dwelling house on a farm which clusters an existing agricultural buildings

The Senior Planner presented the report and made a recommendation to the Committee for consideration. The Officer answered queries from Members.

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

The public speaker in support of the application addressed the Committee and responded to queries from Members.

Proposed by Alderman Finlay
Seconded by Alderman Robinson

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

- a) The site integrates and complies with PPS 21 CTY 13.

The Chair put the proposal to the Committee to vote, 10 Members voted for and 0 against. The Chair declared the proposal to approve the application carried, subject to the following conditions:

- a) Ridge height 5.7m.
- b) Single storey dwelling.

* Councillor M A McKillop left the Chamber at 6:14 pm.

5.8 LA01/2015/1021/F

Report circulated.

App Type: Full Planning
Address: Lands directly to rear of 98A Highlands Road,
Limavady
Proposal: Retention of single storey farm shed and proposed
single storey farm shed

* Alderman Robinson left the table at 6:15 pm.

The Principal Planning Officer presented the reports and made a recommendation to the Committee for consideration. The Officer answered queries from Members.

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

The public speaker in support of the application addressed the Committee and responded to queries from Members.

- * Councillor MA McKillop returned to the Chamber at 6:22 pm.

Proposed by Councillor Fitzpatrick
Seconded by Alderman Cole

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 section 7 & 8 and resolves to **APPROVE** full planning permission for the reasons set out:

- a) Farm need and security
- b) No issue with loss of light or noise affecting neighbouring dwellings
- c) No objections from neighbouring dwellings.

The Chair put the Proposal to the Committee to vote, 6 Members voted for, 2 Members voted against. The Chair declared the proposal to approve the planning application carried.

It was agreed that the conditions and informatives to be placed on approval decision notice to be delegated to Planning officers.

- * Alderman Robinson re-joined the meeting at 6.32 pm.

5.9 LA01/2016/0723/F

Report circulated.

App Type: Full Planning
Address: Site at 4 Lilac Avenue, Dowland Road, Limavady
Proposal: Construction of 1 no two storey detached house within the large side garden, parking in shared public car park to the rear

The Principal Planning Officer presented the report and made a recommendation to the Committee for consideration. The Officer answered queries from Members.

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

The public speaker in support of the application addressed the Committee and responded to queries from Members.

Proposed by Councillor McShane
Seconded by Councillor Fitzpatrick and

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

The Chair put the proposal to the committee to vote, 8 Members voted for, 0 Members voted against. The Chair declared the proposal carried.

* Councillors Baird and McCaul left the meeting at 6:40 pm.

5.10 LA01/2016/1378/F

Report and addendum circulated.

App Type: Full Planning
Address: Lands approx. 140m, South West of 2 Corick Road, Dungiven
Proposal: Proposed replacement dwelling and detached double garage.

The Principal Planning Officer presented the report and made a recommendation to the Committee for consideration.

RECOMMENDATION - that the Committee had taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and 8 and resolves to **APPROVE** full planning permission for the conditions set out in section 10.

Proposed by Councillor P McShane
Seconded by Alderman Finlay and

AGREED – that the Committee had taken into consideration and agrees with the reasons for the recommendation set out in section 9 and the policies and guidance in section 7 and resolves to **APPROVE** planning permission subject to the condition set out in section 10.

The Chair put the proposal to the committee to vote, 8 Members voted for, 0 Members voted against. The Chair declared the proposal carried.

6. DEVELOPMENT MANAGEMENT PERFORMANCE:

6.1 Development Management Statistics

A report was circulated to the Committee which listed planning applications received and decided respectively by Causeway Coast and Glens Borough Council in the month of February 2017, excluding Pre-Application Discussions; Certificates of Lawful Development – Proposed or Existing; Discharge of Conditions and Non-Material Changes, to correspond with official validated statistics published by DfI.

The number of applications received increased to 125 for the month of February. Staff issued 103 planning application decisions. The number of live applications in the system has risen by six from 686 in January to 692 in February.

A breakdown on application in the system for over 12 months showed a reduction to 88 in February 2017.

IT IS RECOMMENDED that the Planning Committee note the update on the development management statistics.

AGREED - that the Planning Committee note the update on the development management statistics.

7. DEVELOPMENT PLAN

7.1 Local Development Plan – 6 Month Indicative LDP Work Programme (January – June 2017)

The Committee received a report on 6 month indicative Local Development Plan (LDP) work programme covering the period January to June 2017. This included:

- Work on the gathering of baseline evidence and the presentation of topic-related papers.
- Council's Statement of Community Involvement in Planning (SCI) and LDP Timetable published on 29 November 2016.
- Continuation of LDP Member Workshops.
- Work to continue on the preparation of reports to accompany the LDP.

- Housing monitor work to continue throughout the work programme.

AGREED – as recommended, that Members agree to the indicative work programme outlined.

7.2 DfC Consultation of Proposed De-Listing (East Railway Tunnel Castlerock and West Tunnel, Mussenden Road, Castlerock)

A report was circulated to the Committee to advise that the Planning Appeals Commission had written to Council on 20 January 2017 (circulated) advising that they were considering de-listing two structures within the Borough, under Section 80(1) of the Planning Act (Northern Ireland) 2011.

Members were reminded of information contained within the Department for Communities (DfC) presentations given at the workshop held on 31 January 2017 in relation to build heritage. These presentations were subsequently issued to all Elected Members.

Revised PPS6 on Planning, Archaeology and the Built Environment (circulated) sets out the listing criteria which aims to improve clarity and consistency in regard to the legislative test that a listed building must be of '*special architectural or historic interest*'. A building can be listed for either criteria but in most cases it will have both.

The proposed listings for east and west tunnels at Castlerock was circulated. The Committee were advised that Planning Officers had discussed the proposal further with DfC who considered that 'scheduling' of the two tunnels was a more appropriate form of protection than listing.

The following options were set out within the report:

Option 1: Agree to support both de-listings: or

Option 2: Agree to oppose de-listing

IT IS RECOMMENDED that Members agree either Option 1 or 2 above to the proposed de-listing as detailed and to the Head of Planning responding to DfC on behalf of Council.

AGREED – that the Committee agree Option 1 – to support both de-listings and for the Head of Planning responding to DfC on behalf of Council.

8. CORRESPONDENCE

The following items of correspondence were circulated:

- 8.1** DFC Listing Confirmation – 18 High Street, Ballycastle
- 8.2** DFC Listing Confirmation – Former RUC Station, Main Street, Bushmills
- 8.3** DFC Listing Confirmation – Lime Kiln, Murlough Road, Ballycastle
- 8.4** DFC Listing Confirmation – Dwelling (unnamed access lane) 28 Ballinlea Road, Ballycastle
- 8.5** DFC Listing Confirmation – War Memorial, Market Square, Bushmills

AGREED – that the correspondence circulated be noted.

9. MATTERS FOR REPORTING TO PARTNERSHIP PANEL – 23 MAY 2017

There were no matters for reporting to the Partnership Panel.

10. LEGAL ISSUES

There were no Legal Issues.

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

There was no other relevant business.

There being no further business, the Chair thanked everyone for their attendance and the meeting concluded at 6:55 pm.

Chair