

PLANNING COMMITTEE WEDNESDAY 25 MAY 2016

Table of Key Adoptions

No	Item	Summary of key Adoptions
5.1	Item H: E/2014/0234/F – 291m South East of Loughnanskan, Rathlin Island	<i>APPROVE</i>
5.2	Item D: LA01/2015/0363/F – lands at former linen mill, Bleach Green Lane, Dungiven	<i>APPROVE</i>
5.3	Item E: LA01/2016/0052/O – Adj to Oisín GAA Community Centre for social and recreation complex, 14 Glenvale Glenariffe	<i>REFUSE</i>
5.4	Item F: E/2013/0130/F – lands at The Nook, 48 Causeway Road, Bushmills	<i>GRANT</i>
5.5	Item G: LA01/2015/0396/F - Approx. 280m South of Lagge Road, Armoy	<i>APPROVE</i>
5.6	Item I: LA01/2015/1052/O – site between 50 and 62 Glebe Road, Castlerock	<i>REFUSE</i>
5.7	Item J: LA01/2016/0106/A – Sportsland Amusement Arcade, 28-34 Main Street, Portrush	<i>REFUSE</i>
5.8	Item K: LA01/2015/0210/F – 50 Main Street, Limavady	<i>REFUSE</i>
5.9	Item L: LA01/2015/0567/O – site between 152 and 154 Seacoast Road, Limavady	<i>REFUSE</i>
5.10	Item C: LA01/2015/0980/F – lands are located immediately NE at 11 Bushtown Road, extending eastwards. Lands begin approximately 470m North of 38 Kilmaconnell	<i>GRANT</i>

	Road approximately 240m West/Northwest of 17 Kilmaconnell Road and approximately 200m West/Southwest of 406 Ballyness Park, Castleroe	
5.11	Item A: LA01/2015/0738/F – 44 & 67 Main Street, Bushmills Item B: LA01/2015/0800/LBC – 67 Main Street, Bushmills	<i>APPROVE</i>
6	Development Management Statistics	<i>NOTE UPDATE ON THE STATISTICS. STATISTICS TO BE FURTHER BROKEN DOWN. REFERRALS TO BE ADDED TO WORKSHOP AGENDA BEING HELD ON PERMITTED DEVELOPMENT RIGHTS AND REVIEW OF SCHEME OF DELEGATION.</i>
7	Development Plan – Preparatory Studies: Discussion Paper 7: The Coast	<i>ENDORSE</i>
8	Correspondence	
	8.1 NIEA - Public Consultation Paper – Historic Environment Fund 2016-2020	<i>RESPONSE AGREED</i>
	8.2 NIEA – Public Consultation Paper – Removal of Ecclesiastical Exemptions from Listed Building Consent	<i>RESPONSE AGREED</i>
	8.3 NIEA – Proposed Listings – Ballycastle	<i>RESPONSE AGREED</i>
	8.4 NIEA – Proposed Listings – Cushendall	<i>RESPONSE AGREED</i>
	8.5 NIEA – Proposed Listings – Cushendun	<i>RESPONSE AGREED</i>
	8.6 NIEA – Proposed Listings – Glenariff	<i>RESPONSE AGREED</i>
	8.7 NIEA Listings – Letter of Response from NIEA	<i>NOTE</i>

	8.8 Planning Appeals Commission Costs Awards Guidance	<i>NOTE</i>
	8.9 DoE Planning Policy Division – Consultation on Permitted Development Rights	<i>NOTE AGREE to head of planning responding to doe following workshop – no need to bring response back to the planning committee for approval</i>
	8.10 Invite from agent to visit a Pig Farm	<i>AGREED to accept the accompanied site visit to Caledon pig farm</i>
	8.11 Consideration of requirement for a Pre-Determination Hearing	<i>NOTE the content of the report and AGREED to hold pre-determination hearing on the applications E/2015/0055/LBC; E/2015/0056/F; LA01/2015/0838/HSC AND LA01/2015/1015/O</i>
	8.12 Article 46 of The Planning Act (Northern Ireland) 2011 Power to decline to determine subsequent application	<i>AGREED that appointed Planning Officers determine and elected members not required to be notified</i>
9	Chairpersons Remarks	<i>The Chair thanked members of the Planning Committee for their patience during his year as Chair. The Committee acknowledged the work of the Chair.</i>

**MINUTES OF THE PROCEEDINGS OF THE MEEING OF THE PLANNING
COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC HEADQUARTERS
WEDNESDY 25 MAY 2016 AT 2 PM**

In the Chair: Councillor McCaul

Committee

Members Present: Alderman Cole, Finlay, King, McKeown and Robinson.
Councillors Callan, Fielding, Fitzpatrick, Loftus,
McGuigan, McShane P, and Nicholl.

Non-Committee

Members Present: None.

Officers Present: D Dickson, Head of Planning
S Mathers, Principal Planning Officer/Development
Management Manager
S Mulhern, Principal Planning Officer/Local Development
Plan Manager
D Hunter, Council Solicitor
E McCaul, Committee and Member Services Officer

In Attendance: P McKerman, Item C
D Meehan, Item C
L Ross, Item D
M McNeill Item E
J Morrison Item G
D Dalzell, Item H
J Wilson, Item I
L Currie, Item J
S McCloskey, Item K

Press (2 no.)
Public (27 no.)

CHAIRMAN'S REMARKS

The Chairman welcomed those within the Chamber to the Planning Committee Meeting and reminded all present of the protocol on speaking rights.

1. APOLOGIES

Apologies were recorded from Alderman McKillop and Councillor Baird.

2. DECLARATION OF INTEREST

Declarations of Interest were recorded from Alderman Finlay in Item G, Application LA01/2015/0396/F, Councillors McShane and McGuigan in Item E, Application LA01/2016/0052/O; Alderman Cole and Councillor Nicholl in Item I, Application LA01/2015/1052/O; Councillor Nicholl in Item K, Application LA01/2015/0210/O; Alderman Robinson in Item L, Application LA01/2015/0567/O.

Council's Solicitor reminded members that after speaking on behalf of a constituent, the member should leave the Chamber before the vote is taken.

IN COMMITTEE on the proposal of Councillor McShane, seconded by Councillor Fielding

The Planning Committee received legal advice from Council's solicitor on planning protocol and the decision making process.

OUT OF COMMITTEE on the proposal of Councillor Loftus, seconded by Councillor Callan.

3. MINUTES OF MEETING HELD WEDNESDAY 23 MARCH 2016

Moved by Alderman King
Seconded by Councillor Fitzpatrick

RESOLVED - that the Minutes of the proceedings of the Planning Committee Meeting of 23 March 2016 be taken as read and signed as correct.

4. ORDER OF ITEMS AND CONFIRMATION OF REGISTERED SPEAKERS

The Chair informed committee of registered speakers in attendance.

AGREED: to change the Order of Business; to take the items first in the following order: Item H, D, E, F, G, I, J, K and C.

5. SCHEDULE OF APPLICATIONS

5.1 Item H: Application Number: B/2014/0234/F

Proposal: Erection of a Wind Turbine with a 30m hub height and a 30m rotor diameter with a maximum output not exceeding 250kw.

Site/Location: 291m South East of Loughnanskan, Rathlin Island

Applicant: Rathlin Development & Community Association

The Principal Planning Officer/Development Management Manager presented the report to the Committee and made a recommendation to refuse planning permission.

Public speakers addressed the Committee and responded to queries from members.

Proposer by Councillor McShane

Seconded by Councillor Fielding that

That planning permission would be APPROVED subject to the relevant conditions and informatives being delegated to Planning Officers to input into the decision notice.

The reason for the approval contrary to the Officer recommendation was that the Committee were of the opinion that the refusal reason/s outlined within the report were subjective and consider visual impact to be acceptable balancing with social and economic benefits.

The proposal was put to the meeting, 8 members voted for and 4 against. The Chair declared the motion carried.

5.2 Item D: Application Number LA01/2015/0363/F

Proposal: Proposed scheme to provide a touring caravan park. Scheme includes renovation and redevelopment of existing linen mill buildings to provide park amenities and managers' accommodation, new landscaping, roads and hard standing and ancillary development.

Site/Location: Lands on former linen mill, Bleach Green Land, Dungiven

Applicant: Ms Rachel Finch

The Principal Planning Officer/Development Management Manager presented the report to the Committee and made a recommendation to approve planning permission.

Public speakers withdrew their request to speak on the application.

Proposed by Councillor McGuigan
Seconded by Councillor Fitzpatrick

That the Committee takes into consideration and agrees with the reasons for the recommendations set out in section 9 of the report and the policies and guidance in section 7 & 8 and resolves to APPROVE planning permission for the reasons set out in section 10.

5.3 Item E: Application Number LA01/2016/0052/O

- * Alderman Finlay, Councillors Nicholl, McGuigan and McShane withdrew from the Chamber at 2.55 pm.

Proposal: Proposed new dwelling and garage
Site/Location: Adj to Oisín GAA Community Centre for social and recreation complex 14 Glenvale, Glenariffe
Applicant: Ms Geraldine Meeke, 39 Bridadee Avenue, Ballymena

The Principal Planning Officer/Development Management Manager presented the report to the Committee and made a recommendation to refuse planning permission.

The public speaker addressed the Committee and responded to queries from members.

Proposed by Alderman Cole
Seconded by Councillor Callan

That the Committee takes into consideration and agrees with the reasons for the recommendations set out in section 9 of the report and the policies and guidance in sections 7 & 8 and resolves to REFUSE planning permission for the reasons set out in section 10.

The motion was put to the meeting, 6 voted for, 1 against and 1 abstention. The Chair declared the proposal carried.

- * Alderman Finlay, Councillors McGuigan, McShane and Nicholl returned to the Chamber at 3.10 pm.

5.4 Item F: Application Number E/2013/0130/F

Proposal: Provision of 10 no. Guest Bedrooms in two new Buildings contained within the Curtilage of The Nook
Site/Location: Lands at The Nook, 48 Causeway Road, Bushmills
Applicant: Portnaboe Limited

The Principal Planning Officer/Development Management Manager presented the report to the Committee and made a recommendation to grant planning permission.

Public speakers withdrew their request to speak on the application.

Proposed by Alderman Finlay
Seconded by Councillor Fitzpatrick

That the Committee takes into consideration and agrees with the reasons for the recommendations set out in section 9 of the report and the policies and guidance in sections 7 & 8 and resolves to GRANT planning permission for the reasons set out in section 10.

The motion was put to the meeting, 13 voted for, 0 against and 0 abstentions. The Chair declared the recommendation carried.

5.5 Item G: Application Number LA01/2015/0396/F

Proposal: Proposed change of house type for previously approved site with garage

Site/Location: Approx 280m South of 5 Lagge Road, Armoy

Applicant: Mr & Mrs B Bradley, 10 Whitehall Avenue, Balllycastle

- * Alderman Finlay left the table at 3.20 pm and joined the public speakers in the viewing gallery during discussion on the application.

The Principal Planning Officer/Development Management Manager presented the report to the Committee and made a recommendation to refuse planning permission.

The public speakers addressed the Committee and Planning Officials responded to queries from members on access and definition of material start.

Alderman Finlay addressed the Committee and was of the opinion that a material start had been made on the site as there were evidence of services on site by NI Water and BT.

- * Alderman Finlay left the Chamber at 3.35 pm.

Proposed by Councillor McShane
Seconded by Councillor Loftus

That planning permission should be APPROVED subject to the relevant conditions and informatives being delegated to Planning Officers to input into the decision notice.

The reasons for the approval contrary to the Officer recommendation was that the Committee were of the opinion that a material start had been made to development on site.

The Chair put the proposal to the meeting, with 9 voting in favour and 2 abstentions. The Chair declared the motion carried.

- * Alderman Finlay returned to the meeting at 3.37 pm.

5.6 Item I: Application Number LA01/2015/1052/O

Proposal: Proposed dwelling and garage

Site/Location: Site between 50 and 62 Glebe Road, Castlerock

Applicant: James Conn 22 Glebe Road, Castlerock

- * Alderman Cole left the table at 3.38 pm and joined the public speakers in the viewing gallery during discussion on the application.

The Principal Planning Officer/Development Management Manager presented the report to the Committee and made a recommendation to refuse planning permission.

The public speakers addressed the Committee and responded to queries from members.

Alderman Cole addressed the Committee and was of the opinion that the recommended refusal should be overturned.

Alderman Cole left the Chamber after addressing the committee.

Proposed by Councillor McGuigan

Seconded by Councillor Loftus

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

The Chair put the proposal to the meeting, 5 voted in favour, 3 against and 4 abstentions. The Chair declared the recommendation carried.

5.7 Item J: Application Number LA01/2016/0106/A

Proposal: Statically Operated Electronic Sign
Site/Location: Sportsland Amusement Arcade 28-34 Main Street
Portrush
Applicant: Portrush Sportsland Ltd 28-34 Main Street Portrush

The Principal Planning Officer/Development Management Manager presented the report to the Committee and made a recommendation to refuse planning permission.

The public speaker addressed the Committee and responded to queries from members.

Proposed by Councillor Loftus
Seconded by Councillor Callan

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

The motion was put to the meeting 10 voted in favour, 1 against and 2 abstentions. The Chair declared the proposal carried.

5.8 Item K: Application Number LA01/2015/0210/F

Proposal: Retention of existing marquee
Site/Location: 50 Main Street, Limavady
Applicant: Mr Owens

* Councillor Nicholl left the table at 3.58 pm during discussion on the application.

The Principal Planning Officer/Development Management Manager presented the report to the Committee and made a recommendation to refuse planning permission.

The public speakers addressed the Committee and a view was expressed that the marquee was not detrimental to the setting of the listed building.

- * Councillor Nicholl returned to the Chamber at 4.15 pm

Councillor Nicholl addressed the Committee and suggested that members look favourably on the application and grant approval.

Proposed by Alderman Cole
Seconded by Alderman Finlay

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

The proposal being put to the meeting 5 voted in favour, 5 against and 1 abstention. The Chair used his casting vote in favour of the proposal. The Chair declared the recommendation carried.

A recess was held at 4.21 pm and the meeting reconvened at 4.44 pm.

5.9 Item L: Application Number LA01/2015/0567/O

Proposal: Site for 2 storey infill dwelling with detached garage/store
Site/Location: Site between 152 and 154 Seacoast Road, Limavady
Applicant: Messrs Colin and Ivan Neely

- * Alderman Robinson left the Chamber at 4.45 pm.

The Principal Planning Officer/Development Management Manager presented the report to the Committee and made a recommendation to refuse planning permission.

Representatives from Transport NI answered a number of queries on access to the site and to the minimum visibility splays. There were no other public speakers.

Proposed by Councillor McGuigan
Seconded by Alderman Finlay

That the Committee has taken into consideration and agreed with the reasons for the recommendation set out in section 9 of the report and the policies and guidance in section 7 and resolves to REFUSE planning permission for the reasons set out in section 10.

The recommendation was put to the meeting 9 voted in favour and 3 abstentions. The Chair declared the recommendation carried.

* Alderman Robinson returned to the meeting at 4.57 pm.

5.10 Item C: Application Number LA01/2015/0980/F

Proposal: Construction and operation of a solar farm with a total generating capacity of 25MW. Development comprised photovoltaic panels, mounting frames, 1No. substation, 20 No. inverter stations, 12 No CCTV cameras (3 meters high) and ancillary construction works including perimeter fencing (2.4 meters high), new road access, internal service tracks and 1 No. temporary construction compound. Site for 2 storey infill dwelling with detached garage/store

Site/Location: Lands are located immediately NE of 11 Bushtown Road, extending eastwards. Lands begin approximately 470m North of 38 Kilmaconnel Road, approximately 240m West/Northwest of 17 Kilmaconnell Road and approximately 200m West/Southwest of 406 Ballyness Park, Castleroe.

Applicant: Elgin Energy Esco Ltd

The Principal Planning Officer/Development Management Manager presented the report to the Committee and made a recommendation to grant planning permission.

The public speakers addressed the Committee and answered a number of queries on funding to community groups by the applicant.

Proposed by Alderman Finlay
Seconded by Councillor Callan

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

The recommendation was put to the meeting 13 voted in favour, 0 against and 0 abstention. The Chair declared the recommendation carried.

* Councillor Nicholl and Councillor McGuigan left the chamber at 5.05 pm.

It was agreed that the Committee would consider Item A and B together.

**5.11 Item A: Application Number LA01/2015/0738/F and Item B:
LA01/2015/0800/LBC**

Proposal: Erection of CCTV System
Site/Location: 44 & 67 Main Street Bushmills
Applicant: Causeway Coast and Glens Borough Council Sheskburn
House 7 Mary Street Ballycastle

The Principal Planning Officer/Development Management Manager presented the reports to the Committee and made a recommendation to approve planning permission

Proposed by Councillor Fitzpatrick
Seconded by Alderman Finlay

LA01/2015/0738/F - That the Committee has taken into consideration and agreed with the reasons for the recommendation set out in section 9 of the report and the policies and guidance in sections 7 & 8 of the report and resolves to APPROVE planning permission subject to the reasons set out in section 10.

LA01/2015/0800/LBC – That the Committee has taken into consideration and agreed with the reasons for the recommendation set out in section 9 of the report and the policies and guidance in sections 7 & 8 and resolves to APPROVE subject to the reasons set out in section 10.

The recommendations were put to the meeting, 10 in favour, 0 against and 1 abstention. The Chair declared the recommendations carried.

6. DEVELOPMENT MANAGEMENT STATISTICS

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

It was suggested that the statistics should be further broken down for the over 12 month applications.

AGREED that the increase in referrals would be added as a topic to the workshop agenda being held on Scheme of Delegation and Permitted Development Rights.

7. DEVELOPMENT PLAN – PREPARATORY STUDIES: DISCUSSION PAPER 7 – THE COAST

AGREED that members endorse the use of the information contained within the paper in the preparation of the Local Development Plan.

8. CORRESPONDENCE

8.1 NIEA – Public Consultation Paper – Historic Environment Fund 2016-2020

The Planning Committee considered a report previously circulated on NIEA Public Consultation Paper, Historic Environment Fund 2016-2010.

AGREED that the content of the report would be noted and to the Head of Planning responding to the document on behalf of Council.

8.2 NIEA – Public Consultation Paper – Removal of Ecclesiastical Exemptions from Listed Building consent

The Planning Committee considered a report previously circulated on NIEA Public Consultation Paper, Removal of Ecclesiastical Exemptions from Listed Buildings consent.

AGREED that the content of the report would be noted and to the Head of Planning responding to the DoE on behalf of Council.

8.3 NIEA – Proposed Listings – Ballycastle

The Planning Committee considered a report previously circulated on NIEA Proposed Listings for Ballycastle.

The Committee **AGREED** to the proposed listings detailed within the report and to the Head of Planning responding to NIEA on behalf of Council.

8.4 NIEA – Proposed Listings – Cushendall

The Planning Committee considered a report previously circulated on NIEA proposed listings for Cushendall.

The Committee **AGREED** to the proposed listings detailed within the report and to the Head of Planning responding to NIEA on behalf of Council.

8.5 NIEA – Proposed Listings – Cushendun

The Planning Committee considered a report previously circulated on NIEA proposed listings for Cushendun.

The Committee **AGREED** to the proposed listings detailed within the report and to the Head of Planning responding to NIEA on behalf of Council.

8.6 NIEA – Proposed Listings – Glenariff

The Planning Committee considered a report previously circulated on NIEA proposed listings for Glenariff.

The Committee **AGREED** to the proposed listings detailed within the report and to the Head of Planning responding to NIEA on behalf of Council.

8.7 NIEA Listings – Letter of Response from NIEA

The Planning Committee received correspondence from NIEA in response to queries raised on compiling lists of buildings of special architectural interest. The correspondence provided details of the considerations for listings the buildings and criteria used by the Department. The correspondence from the NIEA was noted.

8.8 Planning Appeals Commission Costs Awards Guidance

The Planning Committee received Costs Awards Guidance from the Planning Appeals Commission. The guidance set out specific details on the scope of costs awards under Sections 205 and 206 of the 2011 Planning Act; circumstances in where costs might be awarded; wasted expenses; making a claim for costs; responding to a claim; the Commission's decision and post costs decision. The guidance was noted by the Committee.

8.9 Department of Environment (DoE) Planning Policy Division – Consultation on Permitted Development Rights

The Committee received a report on the DoE Planning Policy Division Consultation on Permitted Development Rights. The consultation provides detail on existing and proposed arrangements and asks questions in relation to the proposed changes to the Communications

Code Operators. The consultation discusses the Electronic Communications Code Regulations and how these merge with the proposed changes to the permitted development rights. The consultation document was noted.

AGREED that the Head of Planning would respond to the DoE following a workshop – no need to bring a response back to the Planning Committee for approval.

- * Councillor Nicholl returned to the meeting at 5.20 pm.

8.10 Invite from Agent to Visit a Pig Farm

The Committee received a report to consider an invitation from an Agent to visit a Pig Farm with regard to application B/2015/0005/F and subsequent volume of representations which will be presented to the Planning Committee when a recommendation was being made. The Committee was asked to consider options and subsequent course of action with regard to the invitation.

AGREED to accept the invitation for an accompanied site visit to Caledon Pig Farm.

8.11 Consideration on Requirement for a Pre-Determination Hearing

The Committee received a report to consider a preferred option for determining whether to hold a pre-determination hearing on applications E/2015/0055/LBC; E/2015/0056/F; LA01/2015/0838/HSC and LA01/2015/1015/O.

AGREED to hold pre-determination hearings on the applications.

8.12 Article 46 of the Planning Act (Northern Ireland) 2011 Power to Decline to Determine Subsequent Application

The Committee considered a report to decide whether to implement power under Section 48 of the Planning Act (Northern Ireland) 2011 to decline to determine repeat applications under certain circumstances.

AGREED that appointed Planning Officers determine whether to accept or decline Section 46 (subsequent applications) and Section 48 (overlapping applications) and elected members do not require to be notified.

9. CHAIRPERSONS REMARKS

The Chair of the Planning Committee thanked members for their patience during his year as Chair. The Committee acknowledged the work of the Chair being new to office.

This being all the business the meeting closed at 5.28 pm.

CHAIRPERSON