

PLANNING COMMITTEE WEDNESDAY 26 APRIL 2017

Table of Key Adoptions

No	Item	Summary of Key Decisions
2	Declarations of Interest	Councillor McKillop, Councillor Fielding, Alderman Robinson, Alderman Finlay
3	Order of Items and Confirmation of registered speakers	Application LA01/2016/0825/F, rear of 160C Seacoast Road, Crindle, deferred
4	Minutes of Planning Committee meeting held 22 March 2017	Confirmed
5	Schedule of Applications	
	5.1 LA01/2016/0623/RM – Land immediately north and west of Logan’s fashions, 233 Frosess Rd, Cloughmills	Approve
	5.2 LA01/2016/0061/F – North of A37 Broad Rd to the East of 156 Broad Rd	Approve
	5.3 B/2013/0241/F – Land approx. 640m east of Largantea Bridge Dunmore	Refuse
	5.4 LA01/2016/1146/F – Lands between rear of 11-39 Main St and Sheils Court and rear of 16-26 Charlotte St - Ballymoney	Approve
	5.5 LA01/2016/1221/O – Adjacent to 33 Gaults Rd Cushendall	Deferred

	5.6 LA01/2016/0198/F – 100m NW of 11 Haw Road	<i>Deferred</i>
	5.7 LA01/2016/1080/F – 8 Elizabeth Place, Deffrick, Ballymoney	<i>Approve</i>
	5.8 LA01/2016/0722/F – Immediately North of 5 Windyhill Rd, Limavady	<i>Approve</i>
	5.9 LA01/2016/1083/LBC – Castlerock Railway Station	<i>Grant</i>
6	Development Management Performance	
	6.1 Development Management Statistics	<i>Noted</i>
	6.2 Publication of NI Planning Statistics: Thirds Quarter 2016/17 Statistical Bulletin	<i>Noted</i>
8	Legal Issues 10.1 Bath Street, Portrush	<i>Proceed with the course of action as outlined</i>
9	Any Other Relevant Business 9.1 Councillor Fielding 9.2 Alderman King	<i>Update provided Visit Solar Farm, Kilrea</i>
10	Correspondence	
	10.1 DFC Confirmation of Listing: Glendun Road, Altguire Bridge Cushendun	<i>Noted</i>
	10.2 DFC Confirmation of Listing: White House Mill, Glendun Road	<i>Noted</i>
	10.3 Fair Head Tidal Array – Joint Marine & Article 39 Application	<i>Noted</i>
	10.4 Mid Ulster District Council LDP Letter of invitation re Forum for Cross Boundary Planning Issues	<i>Councillors Nicholl, McCandless, McCaul nominated</i>

	10.5 Donegal County Council: Variation No2 (Wind Energy) Plan 2012-2018	<i>Noted</i>
11	Conferences NILGA Chambré Seminar	<i>Councillor Baird nominated</i>

Unconfirmed

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING
COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC HEADQUARTERS
WEDNESDAY 26 APRIL 2017 AT 2.05 PM**

In the Chair: Councillor Loftus

Committee Members Present: Alderman Cole, Finlay, King, McKeown, Robinson
Councillors Baird, Fielding, Fitzpatrick,
McCandless, McKillop MA, McLaughlin, McShane,
P and Nicholl

Officers Present: M Quinn, Director of Performance
S Mathers, Principal Planning Officer/Development
Management Manager
S Mulhern, Principal Planning Officer/Local
Development Plan Manager
C McKeary, Senior Planner
D Hunter, Council Solicitor
S Duggan, Committee & Member Services Officer

In Attendance: P McLoone, Application LA01/2016/0061/F
E Loughrey, Application LA01/2016/1146/F
F Wheeler, LA01/2016/1221/O
M Howe, Application LA01/2016/0198/F
C Gourley, Application LA01/2016/0722/F

Press (1)
Public (20 No.)

1 APOLOGIES

Apologies were recorded for Councillor McCaul.

2 DECLARATIONS OF INTEREST

Declarations of Interest were recorded for:

- Councillor McKillop in Application LA01/2016/1221/O;
- Alderman Finlay in Application LA01/2016/0198/F;
- Councillor Fielding in Application LA01/2016/1080/F;
- Alderman Robinson in Application LA01/2016/0722/F and LA01/2016/0825/F.

3. ORDER OF ITEMS AND CONFIRMATION OF REGISTERED SPEAKERS

Councillor P McShane requested that Application LA01/2016/0825/F be deferred to allow time for submission of additional information.

The Chair, remarking on the late hour of the submission, obtained legal advice from Council's Solicitor.

Proposed by Alderman Robinson
Seconded by Councillor P McShane and

AGREED - that committee defer consideration of Application LA01/2016/0825/F.

The Chair put the proposal to the committee to vote, committee voted unanimously in favour. The Chair declared the proposal carried.

AGREED - to receive the Order of Business as presented.

4. MINUTES OF PLANNING COMMITTEE MEETING HELD 22 MARCH 2017

Proposed by Councillor Baird
Seconded by Alderman King and

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

5. SCHEDULE OF APPLICATIONS:

5.1 LA01/2016/0623/RM - Land immediately north and west of Logan's fashions, 233 Frosses Road, Cloughmills.

Proposal: Service area comprising fast food restaurant petrol filling station and associated shop, and relocation of existing access.

Report and two addenda circulated.

The Principal Planning Officer presented the reports 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 sections 7 and 8 and resolves to **Approve** Reserved Matters Consent subject to the conditions set out in section 10 and three further conditions as set out; subject to the agreement of Transport NI on the new access arrangements.

Proposed by Alderman Robinson
Seconded by Alderman Finlay

- 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** Reserved Matters Consent subject to the conditions set out in section 10 and three further conditions as set out; subject to the agreement of Transport NI on the new access arrangements.

The Chair put the proposal to the committee to vote, committee voted unanimously in favour. The Chair declared the proposal carried.

5.2 LA01/2016/0061/F - North of A37/ Broad Road to the East of 156 Broad Road

App Type: Full

Proposal: Full planning application for a three turbine extension to the operational Dunbeg Wind Farm (consented under PAC REF. 2009/A0363 to planning reference B/2007/0560/F), each turbine will have a Hub Height not exceeding 84m and Blade Diameter not exceeding 82m, associated access tracks, underground cabling, temporary construction compound, upgrade and widening of an existing site entrance off the A37, forestry felling (approximately 1.36ha) and all associated works.

Report, addendum and site visit details circulated.

The Senior 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 APPROVE planning permission subject to the reasons set out in section 10 and 3 amended conditions as set out.

The Chair invited P McLoone to address committee in support of the application, P McLoone responded to points of clarification from Elected Members.

Proposed by Alderman King
Seconded by Councillor Fitzpatrick

- 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 reasons set out in section 10 and 3 amended conditions as set out.

The Chair put the proposal to the committee to vote, 11 members voted for, 1 member voted against, 2 members abstained. The Chair declared the proposal carried.

5.3 B/2013/0241/F - Land approx. 640m east of Largantea Bridge (Windyhill Road/Bolea Road) Dunmore

App Type: Full

Proposal: Full planning application for a proposed extension to the approved Dunmore Windfarm (Ref: B/2007/0563/F) comprising 8 turbines, up to a maximum of 126m tip height (up to 85m hub height and up to 93m blade diameter), associated transformers, 2 permanent anemometer masts, communication tower, extension of existing site access tracks and construction of new site access tracks, temporary amendments to the junction of the Bolea Road and Windyhill Road, gates, substation and site control room, electrical cabling, a temporary site compound, two site entrances, minor road improvement works on Bolea Road and all other associated and ancillary works

Report and site visit details circulated.

The Senior Planner presented the report and made a recommendation to the Committee for consideration. Officers 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 reasons set out in section 10.

Proposed by Councillor Baird

Seconded by Alderman King

- 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 reasons set out in section 10.

The Chair put the proposal to the committee to vote, 10 members voted for, 1 member voted against, 3 members abstained. The Chair declared the proposal carried.

5.4 LA01/2016/1146/F - Lands between rear of 11-39 Main Street and Sheils Court and rear of 16-26 Charlotte Street Ballymoney

App Type: Full Planning

Proposal: New retail unit with car parking, service yard, access road, site access, boundary treatments and associated site works

Report, addendum and site visit details circulated.

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

The Principal Planning Officer advised of further correspondence received within the hour of the commencement of the meeting in objection to the application, the correspondence was tabled.

Alderman Finlay queried the tabling of correspondence at short notice, the Officer stated an addendum would procedurally be reported, however, it was not practicable within the timescales involved on this occasion.

A recess was sought to consider the correspondence.

Proposed by Alderman Robinson
Seconded by Councillor Fielding

AGREED – that committee hold a 5 minute recess from 3.05 PM.

Following recess, the Officer provided a verbal addendum in response to the objection and answered queries from Members.

The Chair invited E Loughrey to speak in support of the application, E Loughrey responded to Elected member queries.

Proposed by Alderman Finlay
Seconded by Alderman Robinson

- 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 proposal to the committee to vote, committee voted unanimously in favour, the Chair declared the proposal carried.

5.5 LA01/2016/1221/O - Adjacent to 33 Gaults Road, Cushendall

* **Councillor McKillop left the table for this item.**

App Type: Outline Planning

Proposal: Site for single dwelling with access off existing driveway

Report circulated.

Consideration of the item did not take place.

Proposed by Councillor P McShane

Seconded by Councillor McLaughlin

- that Committee defer consideration and arrange a site visit.

The Chair put the proposal to the committee to vote, committee voted unanimously in favour, the Chair declared the proposal carried.

5.6 LA01/2016/0198/F - 100m NW of 11 Haw Road

* **Alderman Finlay left the table for this item.**

App Type: Full

Proposal: Full planning application for 6 no. glamping pods

Report and addendum circulated.

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 sections 7 & 8 and resolves to REFUSE planning permission for the reasons set out in section 10.

The Chair invited M Howe to present to committee in support of the application. M Howe posed a question to the Chair regarding the timing of public availability of the addendum to the report.

The Chair sought Council's Solicitors advice on the matter.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Alderman King

Seconded by Councillor Baird and

AGREED - that the Committee proceed to conduct the following business 'In Committee'.

* **Press/Public left the meeting at 3.25 PM.**

Committee debated the issue of the addendum, the nature of which, was noted sought to strengthen the agent's position in that it removed some of the reasons for refusal.

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Councillor P McShane
Seconded by Councillor Fitzpatrick and

AGREED - that the Committee proceed to conduct the following business 'In Public'

* **Press/Public re-joined the meeting at 3.50 PM.**

The Chair, referring to the Protocol for the Operation of the Planning Committee, Part 2.1, *Preliminary Matters* advised the procedure M Howe had queried, had been applied correctly in accordance with the Protocol.

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

Referring to photographs presented, Councillor Baird considered it would be useful for committee to visit the site.

Proposed by Councillor Baird
Seconded by Councillor Fielding

- that committee defer consideration and arrange a site visit.

The Chair put the proposal to the committee to vote, committee voted unanimously in favour, the Chair declared the proposal carried.

5.7 LA01/2016/1080/F - 8 Elizabeth Place, Deffrick, Ballymoney

* **Councillor Fielding left the table for this item.**

App Type: Full Planning

Proposal: Retention of granny flat as ancillary accommodation to provide additional living space for applicant's mother.

Report and site visit details circulated.

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 planning permission subject to the reasons set out in section 10.

Alderman Finlay, referring to the conclusion to the report, that the proposal is contrary to Policy Ext 1 of the Addendum to Planning Policy Statement 7, as the proposal to provide a detached residential unit separate from the main dwelling is unacceptable, and queried whether there were any exceptions to this.

Alderman Finlay recalled Planning Appeal Commission reference 2015/E0053, where the Commissioner had allowed overspill accommodation for a main dwelling on Appeal.

Committee further sought detail of the supporting information referred to within the report.

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor Baird
Seconded by Alderman Robinson

AGREED - that the Committee proceed to conduct the following business 'In Committee'.

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Press/Public left the meeting at 4.15 PM

The Principal Planning Officer read out the supporting documentation.

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Alderman Robinson
Seconded by Alderman Finlay and

AGREED - that the Committee proceed to conduct the following business 'In Public'

Proposed by Alderman Finlay
Seconded by Councillor Baird

- 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; appeal 2015/E0053 allows occasions for overspill accommodation for a main dwelling and recognised by Policy PPS 7 EXT 1 and; the subject building is used for ancillary purposes similar to that case. Condition ancillary to main dwelling. Other conditions delegated.

The Chair put the proposal to the committee to vote, committee voted unanimously in favour. The Chair declared the proposal carried.

5.8 LA01/2016/0722/F - Immediately North of 5 Windyhill Road, Limavady

- * **Alderman Robinson left the table for this item.**
- * **Councillor P McShane left the meeting at 4.25 PM.**

App Type: Full Application
Proposal: New agricultural barn.

Report and addendum circulated.

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 REFUSE full planning permission for the reason set out in Section 10.

The Chair invited C Gourley to speak in support of the application. C Gourley responded to Elected Member queries.

Discussion arose surrounding determination of an active and established holding; Planning Appeal Commission reference 2011/A0084 was cited as a comparator.

Proposed by Alderman Finlay
Seconded by Councillor Fielding

- 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; site is

located on an active and established holding and; appeal ref 2011/A0084 confirms this approach. Conditions delegated.

The Chair put the proposal to the committee to vote, 6 members voted for, 0 members voted against, 6 members abstained, the Chair declared the proposal carried.

5.9 LA01/2016/1083/LBC - Castlerock Railway Station, 17 Sea Road, Castlerock, Coleraine, BT51 4TL

App Type: Application for Listed Building Consent

Proposal: Removal of the 'central span' & side stairs of the Castlerock Railway Footbridge on a temporary basis to determine the method & technique for the removal of corroded material. Tentative examination during a condition assessment will identify the extent of the corrosion damage to the original fabric. The evaluation will indicate areas of the original fabric that is beyond repair; sections that can be replaced with like-for-like material; sections that require new modern materials. The process will include rigorous engineering controls, such as ventilation, and good work practices. Future periodic inspections and maintenance will also be included within the rework programme as necessary to prevent any future deterioration of the structure.

Report circulated.

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 sections 7 and 8 and resolves to GRANT Listed Building Consent subject to the conditions set out in section 10.

Proposed by Alderman King
Seconded by Councillor Fitzpatrick

- 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 Listed Building Consent subject to the conditions set out in section 10.

The Chair put the proposal to the committee to vote, committee voted unanimously in favour. The Chair declared the proposal carried.

* **Councillor McKillop left the meeting at 5 PM.**

6. DEVELOPMENT MANAGEMENT PERFORMANCE:

6.1 Development Management Statistics

The report provided a list of planning applications received and decided respectively by Causeway Coast and Glens Borough Council in the month of March 2017.

The number of applications received is again well over the 100 mark at 122, having dropped below it for the first time in January, since September 2015. Staff issued 159 planning application decisions, plus 4 Certificate of Lawful Development Proposed or Existing applications, 3 Non-Material Change and 2 Proposals of Application Notices. With the increase in the number of decisions issued, the number of live applications in the system has fallen to 654.

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.

6.2 Publication of N.I Planning Statistics: Third Quarter 2016/17 Statistical Bulletin and Development Management Statistics Update: 12 Month Period 2016/217

The Northern Ireland Planning Statistics is an official statistics publication issued by Analysis, Statistics & Research Team within Department for Infrastructure. The Third Quarterly 2016/17 Statistical Bulletin was published on 16 March 2017 providing provisional planning statistics for this period. It also provides a summary of Council progress across the three statutory targets for major development applications, local development applications and enforcement cases as laid out in the Local Government

(Performance Indicators and Standards) Order (Northern Ireland) 2015.

IT IS RECOMMENDED that the Planning Committee note the update on the Northern Ireland Planning Statistics 2016/17 Third Quarterly Statistical Bulletin.

AGREED - that the Planning Committee note the update on the Northern Ireland Planning Statistics 2016/17 Third Quarterly Statistical Bulletin.

7. DEVELOPMENT PLAN

There were no items for Development Plan consideration.

8. LEGAL ISSUES

MOTION TO PROCEED 'IN COMMITTEE'

Proposed by Councillor Fielding
Seconded by Alderman Cole

AGREED - that the Committee proceed to conduct the following business 'In Committee'.

*** Press/Public left the meeting at 5.15 PM**

8.1 Bath Street, Portrush

Council's Solicitor provided a verbal update.

Proposed by Councillor Baird
Seconded by Alderman Robinson and

AGREED – that Council proceed with the course of action as outlined.

*** Councillor Nicholl left the meeting at 5.20 PM**

9. ANY OTHER RELEVANT BUSINESS

9.1 Councillor Fielding

An update was provided regarding a stated enforcement investigation.

9.2 Alderman King

AGREED - that committee visit the Solar Farm, Kilrea

MOTION TO PROCEED 'IN PUBLIC'

Proposed by Alderman Finlay
Seconded by Alderman Robinson and

AGREED - that the Committee proceed to conduct the following business 'In Public'.

10. CORRESPONDENCE

The Principal Planning Officer/Local Development Plan Manager presented the items of correspondence:

AGREED – that the correspondence circulated is noted (Items 10.1, 10.2, 10.3, 10.5).

10.1 DFC Confirmation of Listing: Glendun Road, Altaguire Bridge, Cushendun

10.2 DFC Confirmation of Listing: White House Mill, Glendun Road

10.3 Fair Head Tidal Array – Joint Marine & Article 39 Application: Signed Council

10.4 Mid Ulster District Council - LDP: Letter of Invitation re Forum For Cross Boundary Planning Issues

AGREED - that committee nominate Councillors McCandless, McCaul and Nicholl to attend.

10.5 Donegal County Council: Variation No 2 (Wind Energy) Plan 2012 – 2018

11. CONFERENCES

- **NILGA/Chambré Planning Seminar, May 17, Riddel Hall, Belfast**

It is recommended that Members wishing to attend the above conference should contact Democratic Services.

AGREED - that Committee nominate Councillor Baird to attend.

There being no further business, the Chair thanked everyone for their attendance and the meeting concluded at 5.55 PM

Chair

Unconfirmed