

Causeway Coast & Glens Borough Council

To: Planning Committee

Date: 4th November 2015

To Consider Notice of Opinion from Department of Environment in relation to Planning Application C/2011/0459/F (Cam Burn Wind Farm) and Agree response

| | |
|----------------------------------|--|
| Linkage to Corporate Plan | |
| Strategic Themes | Protecting and Enhancing our Environments and Assets |
| Lead Officer | Denise Dickson |
| Cost: (If applicable) | Minimal |

1.0 Background

- 1.1 On 14th October 2015, the Department of Environment (DoE) served a direction on Council under Section 29 of The Planning Act (Northern Ireland 2011 (The Act) referring planning application C/2011/0459/F to it for determination.
- 1.2 DoE served a Notice of Opinion under Section 29(7) of The Act on 30th October 2015 (received by email on 2nd November 2015) advising that it is of the opinion that the application should be granted permission subject to compliance with stated conditions and informatives (Attached at Appendix 1).

2.0 Details

- 2.1 Section 29(7) of The Act provides Council with at least 28 days to request in writing the opportunity of appearing before and being heard by the Planning Appeals Commission (PAC) or other person appointed by the DoE.
- 2.2 The DoE has advised by telephone on Monday 2nd November 2015 that the deadline for receipt of such a request is 27th November 2015.

Consideration

- 3.0 Consideration is required as to whether the Committee wish to respond to the DoE as a result of its Notice of Opinion to approve planning application C/2011/0459/F. The options available to the Committee are as follows:
- **Option 1:** Agree that the Planning Committee notes the Notice of Opinion of the DoE dated 30th October 2015 and has no further comment to make.
Comment: the DoE will thereafter grant planning permission for planning application C/2011/0459/F

 - **Option 2:** Agree that the Planning Committee request in writing the opportunity of appearing before and being heard by the PAC or other person appointed by the DoE.
Comment: The Act allows for the Council and not objectors to the application to appear before and be heard by the PAC. Therefore, it will be for a member of

the Planning Committee to appear and present the Committee's case to the PAC. Following the hearing, the PAC will prepare a report to the DoE with its recommendation. However, the final decision on the determination of the application rests with the DoE.

4.0 Recommendation

4.1 IT IS RECOMMENDED that the Planning Committee

- Agree that the Head of Planning writes a response to DoE based on either Option 1 or Option 2 detailed above.