

Causeway Coast and Glens Borough Council

Planning Committee Wednesday 16th December 2015

Table of Key Adoptions

No	Item	Summary of key Adoptions
4.	Schedule of Applications	
	4.1 Item A, Lime Park, 37 Drones Road, Armoy, Co Antrim E2014/0055/F	<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 section 7 and resolves to GRANT planning permission subject to the conditions and informatives set out in section 10, circulated.</i>
	4.2 Item B, Opposite No. 19 and adjacent to Public Toilets, Main Street, Bushmills, LA01/2015/0524/F	<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 section 7 and resolves to GRANT planning permission subject to the condition and informatives set out in section 10.</i>
	4.3 Item C, Opposite No 19 and adjacent to Public Toilets, Main Street, Bushmills, LA01/2015/0526/DCA	<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 section 7 and resolves to GRANT demolition consent subject to the condition set out in section 10, circulated</i>

	<p>4.4 Item D, Existing Playing Pitches, Curragh Road, Dungiven adjacent to housing development along O'Cahan Place and opposite Greenhaven, LA01/2015/0354/F</p>	<p><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 section 7 & 8 and resolves to APPROVE full planning permission subject to the conditions and informatives set out in section 10 and the additional condition and informative circulated at the meeting</i></p>
	<p>4.5 Item E, 426 Foreglen Road, Dungiven, B/2014/0149/O</p>	<p><i>that the Committee has taken into consideration and disagreed with the reasons for the recommendation set out in section 9 and 10 and the policies and guidance in sections 7 & 8 and therefore resolves to GRANT planning permission subject to the reasons set out:</i></p> <ul style="list-style-type: none"> • <i>The development is in accordance with policy CTY1 and CTY10 that the site has always been used for farming purposes and can be clustered with existing farm buildings.</i> • <i>The development is in accordance with policy CTY8 and would not extend beyond the ribbon of development along the Foreglen Road as it was on a road that acts as a stop to further ribbon developments.</i> • <i>Policy CTY13 does not apply</i> • <i>Policy CTY14 does not apply.</i>

		<ul style="list-style-type: none"> The development is in accordance with Policy CTY15 as would be seen as part of the settlement of Dernaflaw and there is no distinction.
	4.6 Item F, 80m South of 261 Ballyquin Road, Limavady, B/2014/0121/O	<i>Deferred to a future Planning Committee Meeting to allow Transport NI officials to attend</i>
	4.7 Item G, Adjacent to 20 Ballyportery Road, Cloughmills, D/2014/0220/O	<i>Withdrawn from schedule prior to the meeting, to be rescheduled for the January Planning Committee Meeting</i>
5.	Development Management Statistics	<i>Noted</i>
6.	Development Plan: Preparatory Studies – Landscape Character	<i>Agreed</i>
7.	Correspondence 7.1 Planning Statistics - Planning Release - Statistics Bulletin – Northern Ireland Planning Statistics	<i>Noted</i>
8.	Legal Issues – Verbal Update	<i>that Councils’ Solicitor would circulate written advice, when received, on how council should proceed in respect of the Judicial Review Proceedings, for any queries to be raised by Members before proceeding further.</i>

Planning Committee

Minutes of the Meeting of Causeway Coast and Glens Borough Council Planning Committee, held in Council Chamber, Civic Headquarters, Coleraine on Wednesday 16th December 2015 at 2.00 pm.

In the Chair: Councillor Loftus

Members present: Councillor Baird, Councillor Callan, Alderman Cole, Councillor Fielding, Alderman Finlay, Alderman King, Councillor McGuigan, Alderman McKeown, Alderman S McKillop, Councillor P McShane, Alderman Mullan, Councillor Nicholl, Alderman Robinson

In attendance: D Dickson, Head of Planning
D J Hunter, Council Solicitor
S Mathers, Principal Development Management Officer
S Mulhern, Principal Development Plan Officer
D Bader, Committee and Member Services Officer

Also in Attendance: Mr L Quigg
Mr O Quigg
Ms C McILvar
Mr Buchannan
Mr Dickson

Press x 3
Public x 11

1. Apologies

It was recorded that Alderman Finlay would be delayed.

2. Declarations of Interest¹

Councillor Loftus declared an interest in Agenda Item 4.5, Item E: Application reference B/2014/0149/O and advised that she would withdraw from the chair for this item. It was proposed by Councillor Fielding, seconded by Councillor Baird and AGREED: that Alderman Cole be nominated to take the Chair during this item.

Alderman S McKillop declared an interest in Agenda Item 4.1, Item A: Application reference E/2014/0055/F, Agenda Item 4.2, Item B: Application reference LA01/2015/0524/F and Agenda Item 4.3 Item C: Application reference LA01/2015/0526/DCA.

Councillor P McShane declared an interest in Agenda Item 4.1, Item A: Application reference E/2014/0055/F.

¹ Councillor McGuigan, Alderman Mullan, Alderman S McKillop and Councillor Nicholl declared an interest at Item 4.4.

Councillor Baird declared an interest in Agenda Item 4.2, Item B: Application reference LA01/2015/0524/F and Agenda Item 4.3, Item C: Application reference LA01/2015/0526/DCA.

3. Minutes of Meeting held Wednesday 28th October 2015 and Monday 9th November 2015

It was AGREED: **that the Minutes of the Meeting held 28th October 2015 and 9th November 2015 were confirmed as a correct record.**

4. Schedule of Applications

The Principal Development Management Officer presented the applications and illustrated using PowerPoint.

4.1 Item A, Lime Park, 37 Drones Road, Armoy, Co. Antrim E2014/0055/F

Proposed re-development of Lime Park, Inc. replacement clubhouse, floodlight 3G training facility, upgrading of existing pitches inc. floodlighting, trimtrail and associated car parking and access upgrade.

It was recommended 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 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10.

The Chair invited Elected Members to request points of clarification from the Officer.

The Officer and Council Solicitor clarified concerns relating to Councils liability regarding flood plains and referred to Item 8.11, 8.12 and 8.13 of the report.

It was 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 section 7 and resolves to **GRANT** planning permission subject to the conditions and informatives set out in section 10, circulated.

Alderman S McKillop and Councillor P McShane had declared an Interest in the Item, withdrew from the table and from voting on the application.

The Chair put the proposal to the committee to vote, 7 Members voted for, 0 Members voted against, and there were 0 abstentions. The Chair declared the proposal carried.

- 4.2 Item B, Opposite No. 19 and adjacent to Public toilets, Main Street, Bushmills, LA01/2015/0524/F and**
- 4.3 Item C, Opposite No. 19 and adjacent to Public Toilets, Main Street, Bushmills, LA01/2015/0526/DCA**

The Chair informed Members that Items 4.2 and 4.3 would be taken as one item.

Item B: LA01/2015/0524 New Memorial Sculpture and Brass Plaque.

It was recommended 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 and resolves to **GRANT** planning permission subject to the condition and informatives set out in section 10.

Item C: LA01/2015/0524 Demolition of existing planters and erection of new Memorial Sculpture and Brass Plaque.

It was recommended 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 and resolves to **GRANT** demolition consent subject to the condition set out in section 10.

The Chair invited Elected Members to request points of clarification from the Officer.

The Chair invited Mr L Quigg to speak after which he responded to Members questions.

Item B: LA01/2015/0524

It was proposed by Alderman Cole, 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 section 7 and resolves to **GRANT** planning permission subject to the condition and informatives set out in section 10.

Item C: LA01/2015/0524

It was proposed by Alderman Cole, 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 section 7 and resolves to **GRANT** demolition consent subject to the condition set out in section 10, circulated.

Alderman S McKillop and Councillor Baird had Declared an Interest in the Item, withdrew from the table and from voting on the application.

The Chair put the two proposals to the committee to vote, 10 Members voted for, 0 Members voted against and there were 0 abstentions. The Chair declared the proposals carried.

- * Alderman Finlay arrived at the meeting at 2.24pm during the debate and did not vote on the above applications.

4.4 Item D, Existing Playing Pitches, Curragh Road, Dungiven adjacent to housing development along O'Cahan Place and opposite Greenhaven LA01/2015/0354/F

Redevelopment of existing sport and leisure facilities to provide improved formal car parking and vehicular access, 1 new 3G synthetic 55x90m soccer pitch with 3m security fencing/6m ballstop fencing/15m pitch floodlighting and a new build sports centre providing changing facilities, 4 court indoor sports hall, fitness suite, community meeting rooms and ancillary accommodation. The existing children's play park is to be retained.

It was recommended 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** full planning permission subject to the conditions and informatives set out in section 10 and the additional condition and amended conditions circulated at the meeting.

The Chair invited Elected Members to request points of clarification from the Officer.

- * Alderman Robinson arrived at the meeting at 2.24pm during the debate and did not vote on the application.

Members requested clarification in relation to Declarations of Interest in the item. The Council Solicitor clarified that if Members had previously expressed a firm view at a Committee or Council Meeting on the application then a Declaration of Interest should be made.

Councillor McGuigan, Alderman Mullan, Alderman S McKillop and Councillor Nicholl Declared an Interest in the item, withdrew from the table and from voting on the application.

It was proposed by Alderman Cole, seconded by Councillor Callan and **AGREED: that the meeting be continued 'In Committee'**.

The Chair requested that the Press and Public leave the meeting.

The Council Solicitor clarified the position in relation to declarations of interest.

It was proposed by Councillor P McShane, seconded by Alderman Cole and **AGREED: that the meeting be continued 'Out of Committee'**.

The Press and Public were invited back to the meeting.

The Council Solicitor clarified concerns relating to Councils liability regarding flood plains, and confirmed that Council had followed Planning Policy and consulted with DRD Rivers Agency.

It was proposed by Councillor P McShane, seconded by Councillor Callan: 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** full planning permission subject to the conditions and informatives set out in section 10 and the additional condition and informative circulated at the meeting.

The Chair put the proposal to the Committee to vote, 7 Members voted for, 0 Members voted against and there were 0 abstentions. The Chair declared the proposal carried.

Councillor McGuigan, Alderman Mullan, Alderman S McKillop and Councillor Nicholl returned to the meeting.

4.5 Item E, 426 Foreglen Road, Dungiven, B/2014/0149/O

Councillor Loftus had Declared an Interest in the Item, withdrew from the Chair and from voting on the application and advised she would address the Committee.

Alderman Cole took the Chair.

Dwelling on a farm in keeping with the local surrounding dwellings.

It was recommended 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** outline planning permission subject to the reasons set out in section 10.

The Chair invited Elected Members to request points of clarification from the Officer.

The Officer clarified concerns relating to the DARD consultation for the field to be included as part of the farm business, advising that DARD do not currently have the subject field registered as part of the farm business.

The Chair invited Mr Quigg, and Ms McIlvar, Planning Consultant to speak after which they responded to Members questions.

The Officer further clarified that DARD had received a request to have the site included within the farm business for a subsidy claim but had not yet confirmed that the site had been included as part of the farm business, which may take up to a year, and that the proposed development was sited on the main A6 road.

The Head of Planning clarified all the reasons for the recommendation for refusal of the application.

Councillor Loftus was invited to speak.

The Head of Planning further clarified that no site visit had been scheduled as there was a clear planning history on this site where a previous planning application had been refused for similar reasons with the exception of reasons 1 and 2; and that DARD have advised that the dwelling is not on the currently registered farm business.

It was proposed by Councillor Baird, seconded by Councillor Callan: that site maps be sent to Members for future applications.

Councillor McGuigan proposed that Members be provided with a link to the Planning Portal. The Head of Planning clarified that Members were already provided with the link to the Planning Portal where all plans and associated information relating to each application can be viewed. Councillor McGuigan withdrew his proposal.

Alderman S McKillop proposed an amendment that Members should in future receive photographs on all proposed planning sites.

Councillor McGuigan raised a Point of Order that the provision of maps and photos should be raised under Any Other Business, for which at least 24 hours' notice should be given.

The Head of Planning was in agreement and clarified that the proposal and amendment could therefore not be voted on.

It was proposed by Councillor McGuigan, 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 **REFUSE** outline planning permission subject to the reasons set out in section 10.

The Chair put the proposal to the Committee to vote, 3 Members voted for, 5 Members voted against and there were 4 abstentions. The Chair declared the proposal lost.

A 10 minute recess was granted to allow Members to agree the wording of the reasons for rejecting the Planning Officers recommendations. The Chair declared a recess from 4.10pm-4.20pm.

Alderman Finlay left the meeting.

The Chair restated that the Committee had therefore disagreed with reasons for the recommendation set out in section 9 and 10 and the policies and guidance in sections 7 & 8 and therefore resolved to **GRANT** planning permission subject to the reasons set out:

- The development is in accordance with policy CTY1 and CTY10 that the site has always been used for farming purposes and can be clustered with existing farm buildings.

- The development is in accordance with policy CTY8 and would not extend beyond the ribbon of development along the Foreglen Road as it was on a road that acts as a stop to further ribbon developments.
- Policy CTY13 does not apply
- Policy CTY14 does not apply.
- The development is in accordance with Policy CTY15 as would be seen as part of the settlement of Dernaflaw and there is no distinction.

The Head of Planning asked the Committee for the conditions and informatives to be placed on the approval decision notice. It was AGREED that officials word the conditions and informatives and issue the grant of planning permission.

It was AGREED: **to resolve to GRANT planning permission subject to the reasons set out above and for officials to word the conditions and informatives and issue the grant of planning permission.**

Councillor Loftus returned to the Chair.

4.6 Item F, 80m South of 261 Ballyquin Road, Limavady, B/2014/0121/O

Two storey rural dwelling with garage / store.

It was recommended 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** outline planning permission subject to the reason set out in section 10.

The Chair invited Elected Members to request points of clarification from the Officer.

The Officer clarified that the applicant was invited to make changes to the existing laneway or propose an alternative access entrance which was not onto a Protected Route, in lieu of the original laneway, but was unable to do so as the existing laneway had shared access.

The Chair invited the applicant Mr Buchannan and Mr Dickson, agent for the applicant to speak after which they responded to Elected Members questions.

The Officer clarified concerns relating to road safety at the access to the original laneway, the absence of Transport NI at the Planning Meeting and that the Planning Department had access to the facts and figures on current lane usage and had been in consultation with Transport NI.

It was proposed by Councillor Baird, seconded by Councillor P McShane: that the decision on the application be deferred to a future Planning Committee Meeting when Transport NI were in a position to attend.

The Chair put the proposal to the committee to vote, 11 Members voted for, 0 Members voted against and there were 0 abstentions. The Chair declared the proposal carried.

4.7 Item G, Adjacent to 20 Ballyportery Road, Cloughmills, D/2014/0220/O

The application was withdrawn prior to the meeting, to be rescheduled for the January Planning Committee Meeting.

5. Development Management Statistics

It was AGREED: **to note the update on the number of planning applications received and decided in the month of November, circulated.**

6. Development Plan: Preparatory Studies – Settlement Evaluation

The Principal Development Plan Officer presented the report, circulated.

It was AGREED: **to endorse the use of the information contained within this paper in the preparation of the Local Development Plan, circulated.**

7. Correspondence

7.1 Planning Statistics Q1 2015/16

The Press Release and Statistics Bulletin – Northern Ireland Planning Statistics 2015/16 First Quarterly Report were noted, circulated.

8. Legal Issues – Verbal Update

Councillor Callan proposed, seconded by Alderman Mullan and AGREED: **that the Meeting be continued ‘In Committee’.**

Craigahulliar Judiciary Review

It was proposed by Alderman Mullan, seconded by Councillor Callan and AGREED: that Councils’ Solicitor would circulate written advice, when received, on how council should proceed in respect of the Judicial Review Proceedings, for any queries to be raised by Members before proceeding further.

Councillor Baird proposed, seconded by Councillor Cole and AGREED: **that the Meeting be continued ‘Out of Committee’.**

This being all the business the meeting closed at 5.15pm.