

**PLANNING COMMITTEE MEETING HELD
WEDNESDAY 23 OCTOBER 2024**

Table of Key Adoptions

No.	Item	Summary of Decisions
1.	Apologies	<i>Alderman Callan, Councillors Nicholl and Storey</i>
2.	Declarations of Interest	<i>Alderman S McKillop, Councillor C Archibald, Councillor McMullan (2no), Councillor McGurk, Councillor Peacock</i>
3.	Minutes of previous Planning Committee Meeting held Wednesday 25 September 2024	<i>Signed as a correct record</i>
4.	Order of Items and Confirmation of Registered Speakers	
4.1	LA01/2022/1118/F, Referral, Lands 25m West of 24 Creamery Road Coleraine	<i>Deferred for a Site Visit</i>
4.2	LA01/2023/0459/F, Referral, 140m NW of 19 Magheramore Road, Garvagh	<i>Deferred for a Site Visit</i>
4.3	LA01/2023/00339/O, Referral, Approximately 50m NE of 92 Moneybrannon Road, Coleraine	<i>Deferred for a Site Visit</i>
5.	Schedule of applications	
5.1	LA01/2024/0780/S54, Major, Craiggore Wind Farm in the townlands of Moneyguiggy and Craiggore Forest, Belraugh Road, Garvagh	<i>Agree and Approved</i>
5.2	LA01/2022/1203/F, Council Interest, Adjacent to 46 Drumsurn Court, Drumsurn, Limavady	<i>Agree and Refused</i>
5.3	LA01/2023/0057/F, Council Interest, Council Multi Use Games Area, Bobby Greer Sports Complex, 34 Main Street, Bushmills	<i>Agree and Approved</i>
5.4	LA01/2024/0608/F, Council Interest, Causeway Coast and Glens Borough Council Depot Amenity Site, 9 Ballyquin Road, Limavady	<i>Agree and Approved</i>
5.5	LA01/2017/1028/F, Objection, Lands to the west and south west of no. 249 Clooney Road Greysteel	<i>Agree and Approved</i>

5.6	LA01/2022/1587/F, Objection, Land to the side and rear of 12 Sunset Ridge, Portstewart	Agree and Deferred pending being satisfied on the position regarding the challenge to the Planning Application Certificate.
5.7	LA01/2023/0133/O, Referral, Lands adjacent and west of 15 Kilnadore Road, Cushendall	Agree and deferred for one month to consider the additional information provided.
5.8	LA01/2023/1165/F, Referral, 25 Peters Road, Drumsumn	Disagree and Approved Conditions and Informatives delegated to Officers.
5.9	LA01/2023/0514/F, Referral, 31 Station Road, Portstewart	Disagree and Approved Conditions and Informatives delegated to Officers
5.10	LA01/2021/1513/O, Referral, Site adjacent to no.40 Vale Road, Greysteel	Agree and Refused
5.11	LA01/2023/0563/O, Referral, 20m NW of 16 Munalohug Road, Dungiven	Deferred for a site visit
6.	Local Development Plan (LDP)	
6.1	Local Development Plan	Noted
7.	Correspondence	
7.1	DfC – Ministerial Response	Noted (items 7.1-7.3 inclusive)
7.2	NIW – Economic Constraints	
7.3	DfI – Council’s response – Clarification on revised LDP timetable	
8.	Reports	
8.1	DfC – Advance notice of listing – 83 Castlenegree Road, Bushmills	Option 1: Agree to support the proposed listing
8.2	Amendment to Scheme of Delegation and Protocol for the Operation of the Planning Committee	Approve Option 1 to amended the wording of bullet point 3 of Part B of the Scheme of Delegation for the Planning Department and to the rewording of paragraph 7.4 of the Protocol for the Operation of the Planning Committee.

8.3	Public consultation on validation checklist	<i>Approve Option 1 - To note the contents of the Planning (General Development Procedure) (Amendment) Order (NI) 2024 and agrees to the Planning Department carrying out a public consultation with key stakeholders to inform the statutory Validation Checklist and include members of the public in the consultation.</i>
8.4	BT Removal of Payphone - update	<i>Noted</i>
8.5	RTPI – Politicians in Planning Network Conference	<i>Noted</i>
8.6	First Quarterly Report of Planning Performance	<i>Noted</i>
8.7	Finance Report – Period 1-5 update	<i>Noted</i>
	FOR CONFIDENTIAL CONSIDERATION (Items 9-9.1 inclusive)	
9.	Confidential Items	
9.1	Update on Legal Issues	<i>Noted</i>
9.2	Antrim Arms Hotel	<i>Noted</i>
10.	Any Other Relevant Business (in accordance with Standing Order 12 (o))	<i>None</i>

**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING
COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC HEADQUARTERS AND
VIA VIDEO CONFERENCE
ON WEDNESDAY 23 OCTOBER 2024 AT 10.30AM**

Chair: Alderman Hunter (C)

Committee Members: Alderman Boyle (C), Coyle (C), S McKillop (R/C),
Scott (R), Stewart (C)
Councillors Anderson (C), C Archibald (C), Kennedy (C),
McGurk (R), McMullan (C), Peacock (R), Watton (C)

Officers Present: D Dickson, Head of Planning (C)
S Mulhern, Development Plan Manager (C)
S Mathers, Development Management & Enforcement Manager (C)
M Jones, Council Solicitor, Corporate, Planning and Regulatory (C)
J McMath, Senior Planning Officer (C)
M McErlain, Senior Planning Officer (C)
M Wilson, Senior Planning Officer (C)
R McGrath, Senior Planning Officer (C)
E Hudson, Senior Planning Officer (C)
J Lundy, Development Management Manager (C)
P McGowan, Planning Officer (C)
R Heaney, Planning Officer (R)
J Keen, Committee & Member Services Officer (C/R)
S Duggan, Civic Support Officer & Committee & Member Services
Officer (R/C)

In Attendance: S Hasson, Senior Dfl Roads Officer, Dfl (R)
A Lennox, ICT Officer (C)

Public 13no. (C), 10no. (R) including Speakers
Press (1no.) (R)

Key: R = Remote C= Chamber

Registered Speakers. In attendance marked (C) / (R)

Application No.	Name
LA01/2022/1203/F	M Bell (C) L Chivers (C)
LA01/2022/1587/F	C Wilson S Wilson C Acheson M Acheson

	G McPeake
LA01/2023/0133/O	C O'Callaghan Colin O'Callaghan M McAllister C O'Donnell
LA01/2023/1165/F	C Smyth (C)
LA01/2023/0514/O	C Cochrane (R)
LA01/2021/1513/O	A Boyle (R) L McKeever
LA01/2022/1118/F	J Muldoon
LA01/2023/0459/F	J Martin
LA01/2023/0563/O	C Gourley (R)
LA01/2023/0339/O	J Martin

The Head of Planning undertook a roll call.

The Chair reminded Planning Committee of their obligations under the Local Government Code of Conduct and Remote Meetings Protocol.

1. APOLOGIES

Apologies were recorded for Alderman Callan, Councillors Nicholl and Storey.

2. DECLARATIONS OF INTEREST

Alderman S McKillop declared an interest in LA01/2023/0057/F, Council Interest, Council Multi Use Games Area, Bobby Greer Sports Complex, 34 Main Street, Bushmills, stating she had lobbied for flood lighting at the Bobby Greer Sports Complex. Alderman S McKillop left the Chamber during consideration of this Item and did not vote.

Councillor C Archibald declared an interest in LA01/2022/1203/F, Council Interest, Adjacent to 46 Drumsurn Court, Drumsurn. Councillor C Archibald left the Chamber during consideration of this Item and did not vote.

Councillor McMullan declared an interest in LA01/2022/1203/F, Council Interest, Adjacent to 46 Drumsurn Court, Drumsurn, Limavady. Councillor McMullan left the Chamber during consideration of this Item and did not vote.

Councillor McMullan declared an interest in LA01/2023/0133/O, Referral, Lands adjacent and west of 15 Kilnadore Road, Cushendall. Councillor McMullan left the Chamber during consideration of this Item and did not vote.

Councillor McGurk declared an interest in LA01/2022/1203/F, Council Interest, Adjacent to 46 Drumsurn Court, Drumsurn, Limavady. Councillor McGurk left the meeting during consideration of this Item and did not vote.

Councillor Peacock declared an interest in LA01/2022/1203/F, Council Interest, Adjacent to 46 Drumsurn Court, Drumsurn, Limavady. Councillor Peacock left the meeting during consideration of this Item and did not vote.

3. MINUTES OF PLANNING COMMITTEE MEETING HELD 25 SEPTEMBER 2024

Copy previously circulated.

Proposed by Councillor McMullan

Seconded by Councillor C Archibald

- That the Minutes of the Planning Committee meeting held Wednesday 25 September 2024 are signed as a correct record.

The Chair put the motion to the Committee to vote.

13 Members voted For, 0 Members voted Against, 0 Members Abstained

The Chair declared the motion carried.

RESOLVED - That the Minutes of the Planning Committee meeting held Wednesday 25 September 2024 are signed as a correct record.

4. ORDER OF ITEMS AND CONFIRMATION OF REGISTERED SPEAKERS

The Chair enquired whether there were any requests for site visits.

4.1 LA01/2022/1118/F, Referral, Lands 25m West of 24 Creamery Road Coleraine

Proposed by Councillor Kennedy

Seconded by Councillor Watton

- That Planning Committee defer LA01/2022/1118/F, Referral, Lands 25m West of 24 Creamery Road Coleraine for a site visit, as the site has not been seen, having looked at it on Google Earth, a unique setting, not typical rural setting. It would be beneficial to look at the site. The Executive Summary states it mars distinction between the open countryside and settlement of Ballyrashane.

The Chair put the motion to the Committee to vote.
13 Members voted For, 0 Members Against, 0 Members Abstained.
The Chair declared the motion carried and application deferred for a Site Visit.

RESOLVED – That Planning Committee defer LA01/2022/1118/F, Referral, Lands 25m West of 24 Creamery Road Coleraine for a site visit as the site has not been seen, having looked at it on Google Earth, a unique setting, not typical rural setting. It would be beneficial to look at the site. The Executive Summary states it mars distinction between the open countryside and settlement of Ballyrashane.

4.2 LA01/2023/0459/F, Referral, 140m NW of 19 Magheramore Road, Garvagh

Proposed by Councillor McGurk
Seconded by Councillor C Archibald
- That Planning Committee defer LA01/2023/0459/F, Referral, 140m NW of 19 Magheramore Road, Garvagh for a site visit in order to understand the location of the where the storage is going to be proposed.

The Chair put the motion to the Committee to vote.
13 Members voted For, 0 Members Against, 0 Members Abstained.
The Chair declared the motion carried and application deferred for a Site Visit.

RESOLVED – That Planning Committee defer LA01/2023/0459/F, Referral, 140m NW of 19 Magheramore Road, Garvagh for a site visit in order to understand the location of the where the storage is going to be proposed.

* **Alderman S McKillop joined the meeting in the Chamber, having been in attendance remotely, prior.**

4.3 LA01/2023/00339/O, Referral, Approximately 50m NE of 92 Moneybrannon Road, Coleraine

Proposed by Councillor McGurk
Seconded by Councillor C Archibald
- That Planning Committee defer LA01/2023/00339/O, Referral, Approximately 50m NE of 92 Moneybrannon Road, Coleraine for a site visit, in order to assess the clustering.

The Chair put the motion to the Committee to vote.
13 Members voted For, 0 Members Against, 0 Members Abstained.
The Chair declared the motion carried and application deferred for a Site Visit.

RESOLVED – That Planning Committee defer LA01/2023/00339/O, Referral, Approximately 50m NE of 92 Moneybrannon Road, Coleraine for a site visit, in order to assess the clustering.

5. SCHEDULE OF APPLICATIONS

5.1 LA01/2024/0780/S54, Major, Craiggore Wind Farm in the townlands of Moneyguiggy and Craiggore Forest, Belraugh Road, Garvagh

Report, Presentation and Erratum, previously circulated, were presented by the Development Management & Enforcement Manager.

Major Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Variation of Condition no.23 of LA01/2017/1124/F & LA01/2018/0790/F & Condition no.24 of B/2012/0268/F at the Craiggore Windfarm. Condition No. 23 (LA01/2017/1124/F & LA01/2018/0790/F) & No.24 (B/2012/0268/F) relates to submission of a noise survey to assess the level of noise. A variation is sought to vary the time for submission of survey from 'Within 6 months of the development first becoming operational' to 'Within 40 months of the development first becoming operational'.

Development Management & Enforcement Manager presented via PowerPoint presentation as follows:

- Proposal relates to a windfarm comprising 10 turbines with a tip height of 130.6m approved in July 2018. The windfarm became operational in December 2021. This variation of condition application seeks to vary condition 23 which relates to the timing of submission of an operational noise survey. Condition 23 originated from the Council's Environmental Health Department.
- While a major application, no PAN was required as this is a variation of condition application. A Design and Access Statement was not required as the application does not relate to access or design issues.
- In terms of the Northern Area Plan 2016, the site is located in the open countryside, outside any settlement development limit. The Northern Area Plan does not have specific policy provision regarding renewable energy and directs to regional policy.
- The original condition required the submission of the noise report within 6 months of the development first becoming operational i.e. by June 2022. Such a report was not submitted. While it would have been appropriate for the developer to have complied with the six-month timeframe set out

within the original condition 23, this application proposes an appropriate remedy. Submission of the report can now be undertaken in April next year (the expiry of the proposed 40-month period) through a discharge of condition application. No noise complaints have been made to the Council regarding operation of the windfarm.

- No representations have been received from members of the public.
- In conclusion, the proposal is considered acceptable and the recommendation is to approve subject to the specific conditions which are updated in the Erratum report.

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 Chair invited questions for the Officer, there were no questions posed.

The Chair advised there were no speakers for the application.

Proposed by Councillor Watton

Seconded by Alderman S McKillop

- 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 motion to the Committee to vote.

13 Members voted For, 0 Members Against, 0 Members Abstained.

The Chair declared the motion carried and application approved.

RESOLVED - 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.

- * **Having declared an interest, the time being at 10.51am, Councillor C Archibald and Councillor McMullan left the Chamber and Councillor McGurk and Councillor Peacock disconnected from the meeting remotely.**

5.2 LA01/2022/1203/F, Council Interest, Adjacent to 46 Drumsurn Court, Drumsurn, Limavady

Report, Presentation, Site Visit Report, Speaking Rights Template for M Bell, previously circulated, was presented by Senior Planning Officer M McErlain.

Council Interest Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Change of House type to Sites 10-12 to provide 1No. Detached & 2No. Semi-Detached 2 Storey Dwellings with Garages as Improvement to Layout Previously Approved under B/2008/0188/RM and All Associated Works.

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.

Senior Planning Officer presented via PowerPoint presentation as follows:

- LA01/2022/1203/F is a full application for Change of House type to Sites 10-12 to provide 1No. Detached & 2No. Semi-Detached 2 Storey Dwellings with Garages as Improvement to Layout Previously Approved under B/2008/0188/RM and All Associated Works at lands Adjacent to 46 Drumsurn Court, Drumsurn, Limavady
- This is a local application and is presented to the Planning Committee as a Council Interest item with a recommendation to refuse planning permission.
- The application site as indicated is located in the south-eastern portion of an existing agricultural field and is sited adjacent to and North West of No. 46 Drumsurn Court, Drumsurn. The application site is undefined other than along its south-eastern boundary which is defined by close boarded timber fencing.
- Within the application site and adjacent to the access from Drumsurn Court the levels within the site have been raised to accord with that of the road within Drumsurn Court. This raised area extends a short distance into the site and is grassed over.
- The application site is located within the rural area outside of any settlement limit as defined by the Northern Area Plan 2016. The site lies adjacent to the settlement limit to its south-eastern boundary.
- Prior to the adoption of the Northern Area Plan 2016 the subject lands were sited within the settlement development limit of Drumsurn as defined within the Limavady Area Plan 1984-1999.

- There is previous planning history on the application site, notably.
 - B/2004/0190/O - Site for residential development with associated formal and informal open space - Land to the south of 283 Drumsurn Road, Limavady – Permission Granted 13.05.2005.
 - B/2008/0188/RM - Proposed housing development comprising 16 no two storey terraced dwellings, 22 no. two storey semi-detached dwellings, 2 no. two storey detached dwellings and roadway for private streets determination - Land to South of 283 Drumsurn Road, Limavady (between Drumsurn Court and 283 Drumsurn Road) – Permission Granted 17.09.2009.
- For Clarification Outline Planning Permission was granted on the site prior to the adoption of the Northern Area Plan while the lands were inside development limit of Drumsurn as defined within the Limavady Area Plan 1984-1999.
- As the application site is located within the rural area the proposal therefore falls to be considered against the rural housing policies contained within the SPPS and Planning Policy Statement 21 (PPS21).
- Policy CTY1 makes provision for proposals for multiple dwellings (more than 2) in the countryside in the following circumstances
 - A small group of houses in a designated Dispersed Rural Community in accordance with Policy CTY2
 - The provision of social and affordable housing in accordance with Policy CTY5
- In this case the proposal is not in accordance with Policy CTY2 as the application site is not located within a Dispersed Rural Community (DRC) as designated in the Area Plan and is not in accordance with Policy CTY5 as Drumsurn is not a small settlement, as set out within Policy SET1 of the Northern Area Plan.
- As the proposal fails to meet with the requirements of the SPPS and Policy CTY1 of PPS21 the principle of development is considered unacceptable
- The applicant contends that the principle of development is established on the lands through the commencement of the planning permission granted under applications B/2004/0190/O and B/2008/0188/RM.
- The requirements for the commencement of development are set out in legislation.
- Formerly under Article 36(1) of the Planning (Northern Ireland) Order 1991 and currently under Section 63(2) of the Planning Act (Northern

Ireland) 2011. For clarification there is no difference between both pieces of legislation in defining commencement of development.

- Both pieces of legislation state that “development shall be taken to be begun on the earliest date on which any of the following operations comprised in the development begins to be carried out—
 - (a) where the development consists of or includes the erection of a building, any work of construction in the course of the erection of the building;”
- The agent relies on 2 pieces of work carried out in respect of the aforementioned planning permissions:
 - Construction of a short stretch of access track from the adjacent Drumsurn Court. Photographs have been submitted by the agent showing the topsoil being stripped back and stoned. These works however do not relate to any work of construction in the course of the erection of a building, rather they are regarded as preparatory works carried out to facilitate development.
 - The agent also refers to the presence of a sewer within the southern part of the field in which the application site is located. The sewer in question runs from the adjacent Drumsurn Court housing development towards the adjacent housing lands within the settlement limit to the north-west of the application site.
- This sewer was put in place circa 2006, prior to reserved matters approval being granted on the site, in order to serve the adjacent existing Drumsurn Court housing development, and therefore cannot be regarded as being specific works in relation to the approved development.
- Regardless, the laying of the sewer would not be considered works of construction in the course of the erection of a building
- As the previous planning permission on the site was for the erection of buildings (40 dwellings), commencement of planning approvals B/2004/0190/O and B/2008/0188/RM can only be taken from the date upon which works of construction commenced on one of the approved dwellings.
- There is no evidence of any foundation having been constructed and Building Control have no records of any foundation inspection for these lands.
- A statutory process exists for the determination of lawful use or development. The mechanism for this is via the submission of a Certificate of Lawful Development or Use which, in this instance, is required to establish that a lawful commencement of development

approved under applications B/2004/0190/O and B/2008/0188/RM has occurred.

- This position has been set out in case law in *Saxby v Secretary of State for the Environment, Transport and the Regions* 1998, and is also the “settled position” of the Planning Appeals Commission (PAC) on such matters as evidenced in appeals, 2015/A0129 (Appendix 1, notably paragraphs 5 & 6).
- The Planning Department have requested the submission of a CLUD however the applicant has advised that they do not intent to submit a CLUD and to date none has been submitted.
- In the absence of a CLUD application it cannot be demonstrated that a lawful commencement of applications B/2004/0190/O and B/2008/0188/RM which, relates to the erection of 40 dwellings has occurred. The Planning Department advise that this application is not the appropriate mechanism to confer the lawfulness of a material start on B/2004/0190/O and B/2008/0188/RM.
- The general layout and design are similar to previous layout, other than the semis and detached has been handed/swapped.
- Dwellings are 2 storey and 3 bedroom in size.
- DFI Roads, NI Water, Environmental Health, HED, NI Electricity – No concerns Raised
- In conclusion, in the absence of a Certificate of Lawful Development it has not been demonstrated that a lawful commencement of planning approvals B/2004/0190/O and B/2008/0188/RM has occurred. Consequently, the Planning Department cannot give determining weight to the previous planning history of the site and as such the proposal must be considered against the prevailing regional planning policies.
- Consequently, the proposal fails to comply with Paragraph 6.73 of the SPPS and PPS21 (Policy CTY1) in that it does not meet with one of the permitted types of development in the countryside it has not been demonstrated that there are exceptional or overriding reasons as to why the development is essential in this location and could not be located in a settlement.
- Refusal is recommended.

The Chair invited questions for the Officer.

Alderman Coyle queried that permission had been given under the Local Area Plan and because of the Northern Area Plan permission dropped out?

Senior Planning Officer clarified the Settlement Development Limit had been redefined in the Northern Area Plan due to the overprovision of lands and potential overdevelopment provision in Drumsurn. The Settlement Development Limit had gone through Public Enquiry and Planning Appeals Commission made no recommendation to alter it from that proposed. Senior Planning Officer advised that ultimately, planning permission was previously granted and had a material start been made, it would have stood as a commenced permission. However, in the absence of a CLUD it has not been determined if commencement occurred within the timeframe of the planning permission.

The Chair invited M Bell and L Chivers to speak in support of the application.

M Bell addressed the Committee, he advised he would not rehearse the issues raised last month. M Bell stated, in summary, this was part of a larger planning permission granted in 2008. Works included access, slip road, sewers, housing ground works, sewer connections with adjoining land completed. Drumsurn Court completed under Reserved Matters prior to September 2011. Infrastructure was vital for this site and Drumsurn Court as in the submission. M Bell stated tails had been left for future development and had been done as part of the approval. The lands were subsequently de-zoned and the family was unable to commence building at the time of the Northern Area Plan adopted. Adjacent dwellings in Drumsurn Court have been completed. Clear from the site visit, omission of this infill field is non-sensical, it is in the core of Drumsurn and not in the countryside. M Bell stated a material start was made and seeks to progress with this application. NIW have confirmed foul and storm sewer available. M Bell stated this would achieve housing in Causeway Coast and Glens, where housing pressure is extreme and there is a need for more housing in this area. Sewerage pipework has connections in place. The application will cause no harm and there will be no precedence set, there are no other examples in Causeway Coast and Glens where lands have been de-zoned with planning permission and works in place. If Drumsurn Court had not been built, there was no access into the site and this was the preparatory works for development of the site.

The Chair invited questions for the speaker.

Councillor Anderson referred to paragraph 8.12 he stated there had been a request for a CLUD and the speaker had said it would be of no benefit and asked the speaker to explain that.

M Bell advised it would have ended up the same place as now, the matter is for Planning Committee and grateful for this. Had they actioned a CLUD they would not have got the opportunity to present to Planning Committee.

Councillor Watton stated the site is part of an established settlement as he could see from the map and stated he could not understand why it was de-zoned, the adjacent land zoned. This is a dog leap out of the development limit for housing. Councillor Watton asked the speaker what his thoughts were on the arbitrary border Northern Area Plan had drawn.

M Bell stated his view is that some revisions of the Northern Area Plan were bureaucratic and non-sensical and he counted this as one.

Alderman Scott queried why a CLUD was not progressed if convinced sewer runs through the site to where the original buildings would have been constructed; CLUD would have cleared that up. He stated it was odd that M Bell considered that it would have left the applicant in the same position as now.

M Bell stated agreement but the problem is that Planning do not consider tails to the sewerage system to be substantive enough; the details of the layout of the sewers and the manholes are within the paperwork; the information had been disclosed. The CLUD would have been rejected and would not have been given the opportunity to present to local representatives today.

Alderman Boyle asked whether the applicant had thought of starting building after the planning permission had been given or were there factors that inhibited that?

M Bell referred to the recession, works were done and then ceased and became inactive. If works were not done Drumsurn Court would not have been built. Sewage infrastructure for Drumsurn Court to be completed and beneficial to Drumsurn. M Bell advised there was a waiting list and need for housing in Drumsurn, a desire for people to return home.

The Chair invited questions for the Officer.

The Chair enquired if there was a need for housing in Drumsurn?

Senior Planning Officer stated the Planning Department were not aware of a backlog of demand in Drumsurn. The Annual Housing April 2023 stated capacity for 54 dwellings within the Settlement Development Limit, the average build rate 2 per year, would not suggest significant demand for housing.

Councillor Watton wondered where figures housing comes from, the situation regarding housing in the Borough is dire; it did not matter whether they were small villages, there was no doubt a need for housing in this area.

The Development Plan Manager stated the capacity for housing on land in Drumsurn is for 54 dwellings, given the build rate of 2 per year, there would be more than enough land existing within the Settlement Development Limit to provide for housing.

Proposed by Councillor Anderson
Seconded by Alderman Stewart

- 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 motion to the Committee to vote.

7 Members voted For, 1 Member voted Against, 1 Member Abstained.

The Chair declared the motion carried and application refused.

RESOLVED - 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 declared a recess at 11.22am.**
- * **The meeting reconvened at 11.35am.**
- * **Councillor McGurk and Councillor Peacock were invited back to the meeting and rejoined remotely at 11.35am.**

- * **Alderman S McKillop, having declared an interest, left the Chamber at 11.35am.**

5.3 LA01/2023/0057/F, Council Interest, Council Multi Use Games Area, Bobby Greer Sports Complex, 34 Main Street, Bushmills

Report and Presentation, previously circulated, were presented by Senior Planning Officer, J McMath.

Council Interest Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Installation of 6no 8m Floodlighting Columns to illuminate the existing MUGA.

Recommendation

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

Senior Planning Officer presented via PowerPoint presentation as follows:

- This is a full application for the installation of 6 no. 8m high floodlighting columns to illuminate the existing MUGA (Multi use games area) at the Bobby Greer Sports Complex located at 34 Main Street, Bushmills
- The site is located with the Settlement Development Limit of Bushmills and currently comprises an all-weather sport pitch, MUGA and changing rooms.
- The site is identified as a major area of existing open space and an area of archaeological potential in the Northern Area Plan. The site is also within the Causeway Coast AONB and outside Bushmills Conservation area.
- The principle of development is considered acceptable having regard to the SPPS, PPS8, PPS2, PPS6, PPS15 and the PSRNI.
- The installation of flood lights will not result in the loss of open space as protected by policy OS1.
- Lighting plans were submitted and through consultation with Environmental Health it has been demonstrated that proposal will not detrimentally impact on residential and visual amenity or public safety subject to conditions regarding the management of lighting and hours of operation.
- Following submission of a PEA a bat roost survey and bat activity survey was submitted. After consultation NED have confirmed that there is no impact on protected species. A sHRA was submitted and SES have confirmed that there will be no likely significant effect on designated sites subject to a condition requiring the use of a silt fence during construction. The proposal complies with PPS2.
- Consultations have been carried out with DfI Rivers, DfC HED and DfI Roads who have confirmed that the proposal is in compliance with PPS15, PPS6 and PPS3.
- The proposal will not have a detrimental impact on townscape and approval is recommended.

The Chair invited questions for the Officer, there were no questions posed.

Proposed by Alderman Stewart

Seconded by Councillor Kennedy

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

The Chair put the motion to the Committee to vote.
11 Members voted For, 0 Members voted Against, 0 Members Abstained.
The Chair declared the motion carried and application approved.

RESOLVED - That the Committee has taken into consideration and agrees with the reasons for recommendation set out in Section 9 and the policies and guidance in sections 7 and 8 and resolves to APPROVE planning permission subject to conditions set out in section 10.

During the call for the vote, there was no response from Councillor Peacock.

* **Alderman S McKillop returned to The Chamber at 11.42am.**

5.4 LA01/2024/0608/F, Council Interest, Causeway Coast and Glens Borough Council Depot Amenity Site, 9 Ballyquin Road, Limavady

Report and Presentation, previously circulated, were presented by Senior Planning Officer, J McMath.

Council interest Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Extension of existing office space.

Recommendation

That the Committee has taken into consideration and agrees with the reasons for recommendation set out in Section 9 and the policies and guidance in Section 7 and 8 and resolve to APPROVE planning permission subject to the conditions set out in Section 10.

Senior Planning Officer presented via PowerPoint presentation as follows:

- This application seeks full planning permission for the extension of the existing office space at the council civic amenity site at 9 Ballyquin Road Limavady.
- The site is located within the settlement development limit of Limavady, adjacent to but outside the Greystone LLPA.
- No objections were received and there were no issues raised by statutory consultees.
- The proposal has been assessed against the relevant policy context and has been found acceptable in terms of the principle of development, impact on LLPA and townscape.
- The civic amenity site has been operating at this site for many years (e.g. there is planning history in 1993 for an extension and alteration). The proposal is for a small extension to the office at and in association with the

civic amenity site highlighted in blue on map. The site is within the Settlement Development Limit, the use is compatible with the existing civic amenity site, will not harm residential amenity, natural or built heritage, is not subject to flood risk, it will not lead to noise, effluent or traffic and will not have adverse impact on character, environmental quality or amenity. The use and design is compatible with the area. The proposal complies with PPS4, PPS11 and PSRNI and approval is recommended.

The Chair invited questions for the Officer, there were no questions posed.

Proposed by Alderman S McKillop
Seconded by Councillor C Archibald

- That the Committee has taken into consideration and agrees with the reasons for recommendation set out in Section 9 and the policies and guidance in Section 7 and 8 and resolve to APPROVE planning permission subject to the conditions set out in Section 10.

The Chair put the motion to the Committee to vote.

13 Members voted For, 0 Members voted Against, 0 Members Abstained.

The Chair declared the motion carried and application approved.

RESOLVED – That the Committee has taken into consideration and agrees with the reasons for recommendation set out in Section 9 and the policies and guidance in Section 7 and 8 and resolve to APPROVE planning permission subject to the conditions set out in Section 10.

5.5 LA01/2017/1028/F, Objection, Lands to the west and south west of no. 249 Clooney Road Greysteel

Report and Presentation, previously circulated, was presented by the Development Management and Enforcement Manager.

Objection Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Proposed housing development - Comprising of 28 No. Dwellings, a mixture of detached and semi-detached dwellings, (27 No. Dwellings at two storey, 1 No. Dwelling single storey) with detached domestic garages (Scheme includes 5 No. Social dwellings)

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.

Development Management and Enforcement Manager stated a verbal erratum, the report referred to 14% Open Space but that it was 20%.

Development Management and Enforcement Manager advised that S Hasson was in attendance from DfI Roads to answer any questions, presented via PowerPoint presentation as follows:

- This application proposes a total of 28 dwelling units on this zoned site within the village of Greysteel. This application follows the approval of outline permission for housing in 2012.
- This is a local classified application and is being presented as an Objection Item.
- The scheme provides for a mix of house types comprising 8 detached and 20 semi-detached. Most of the dwellings are two storey with 4 x 1 ½ storey and 1 single storey. The scheme provides 1 main area of open space.
- In terms of the Northern Area Plan 2016, the site is within the settlement development limit of Greysteel. The site is within housing zoning GLH 01. Given the planning history, the site is classified as a “committed site” and accordingly does not have key site requirements. The principle of housing is acceptable.

Main Issues

- Context & Character- The proposed density averages 14 units per hectare. This density is reflective of the character of the area. The proposal comprises four detached dwellings fronting onto Clooney Road with the remainder of the development being beyond an intervening substantial area of open space. The use of two storey units along the site frontage will not appear out of place given the variety of existing dwelling types fronting Clooney Road. The site is steeply sloping with a change in levels of 27m from the front to rear of the site. This imposes a constraint on the site, necessitating extensive provision of open space to the rear of the dwellings fronting onto Clooney Road.
- Social Housing- Policy HOU 2 in the Northern Area Plan 2016 requires 20% social housing in proposals over 25 units. NIHE has confirmed the need for social housing at this location. A total of 5 social housing units are proposed, representing 20% of the scheme. These are located in the southern portion of the site. Provision of these is regulated by condition.
- Landscape Features- The proposal has been designed to take account of the steeply rising levels. Retaining features are deployed sensitively across the site to minimise visual intrusion and to respect residential amenity.

- Open Space- 20% of the site is identified as open space. This exceeds the required 10% standard. The central open space area comprises 3 level playing areas, walking paths, meadow areas and woodland planting. As less than 100 dwellings are proposed, an equipped children's playground is not required. All plots provide adequate private amenity space.
- Access & Parking- The site is accessed from two separate accesses- one off the A2 Clooney Road and the other from the adjacent Tullyverry Drive. Three of the dwellings have a direct access off Clooney Road. In curtilage car parking is provided for the dwelling units. DFI Roads is content with the overall layout which is to be adopted.
- Relationship with other Properties- By reason of the specific design and separation distances, the relationship with proposed and existing dwellings on the site boundaries is acceptable. A condition is suggested to remove the ability of householders to change window openings to maintain privacy.
- Sewage Connection- NI Water has advised there is a public foul water sewer within 20 metres of the development boundary which can adequately service the proposal.
- Representations- The detail of these is provided in the report.
- Conclusion- The proposal is considered acceptable and the recommendation is to approve.

Proposed by Alderman Boyle
 Seconded by Alderman Coyle

- 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 motion to the Committee to vote.

13 Members voted For, 0 Members Against, 0 Members Abstained.

The Chair declared the motion carried and application approved

RESOLVED - 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.

5.6 LA01/2022/1587/F, Objection, Land to the side and rear of 12 Sunset Ridge, Portstewart

Report and Presentation, previously circulated, was presented by Senior Planning Officer, M Wilson.

Objection Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Construction of 2no two storey semi-detached dwellings with parking and private driveway upgraded to serve additional dwellings.

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.

Senior Planning Officer presented via powerpoint presentation as follows:

- Full planning permission is sought for Construction of 2no two storey semi-detached dwellings with parking and private driveway upgraded to serve additional dwellings.
- This is a local application and is being presented to Committee as it is an Objection item. You have the planning committee report in front of you. At the time of writing there had been a total of 31 objections from 10 separate addresses. By way of verbal addendum, there has been a request for further time from Stephen and Claire Wilson to consider all relevant concerns and ensure that these can be addressed appropriately given the short time frame. A further letter of objection from Mr Colm Lowery at No.8 Sunset Ridge, which will take the total no. of objections to 32. The objection received at 10am this morning states that the objector lives at No.8 Sunset Ridge and that part of the site identified by the red line is within the ownership of No.8 Sunset Ridge as this had been purchased from the previous owners.
- As Certificate A has been signed by the applicant stating they are in control of all lands within the red line, the Planning Department proposes to investigate this further. It is not appropriate to consider or determine the application until the Council is satisfied of the position.
- It is therefore recommended that the Committee note the contents of this Verbal Addendum and agree to defer the application pending being satisfied on the position regarding the challenge to the Planning

Application Certificate. This recommendation supersedes the recommendation provided in the Planning Committee Report.

The Chair put the recommendation to defer to the Committee.

Proposed by Councillor Watton

Seconded by Councillor Anderson

- that the Committee note the contents of this Verbal Addendum and agree to defer the application pending being satisfied on the position regarding the challenge to the Planning Application Certificate.

The Chair put the motion to the Committee to vote.

12 Members voted For, 0 Members voted Against, 0 Members Abstained.

The Chair declared the motion carried and application deferred.

RESOLVED – that the Committee note the contents of this Verbal Addendum and agree to defer the application pending being satisfied on the position regarding the challenge to the Planning Application Certificate.

* **Having declared an interest Councillor McMullan left The Chamber at 12.06pm.**

5.7 LA01/2023/0133/O, Referral, Lands adjacent and west of 15 Kilnadore Road, Cushendall

Report, Presentation, Addendum, Speaking Rights Template for G McPeake, Speaking Rights Template for Colin & Caoimhe O'Callaghan, Speaking Rights Template for M Mc Allister and C O'Donnell, Additional Documentation from Agent were previously circulated, and presented by Senior Planning Officer R McGrath.

Referral Application to be determined by Planning Committee

App Type: Outline

Proposal: Site for dwelling and garage

Recommendation

That the Committee has taken into consideration and agrees with 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.

Senior Planning Officer presented via powerpoint as follows:

- Item 5.7 has been referred to Planning Committee for consideration, it was previously presented to Planning Committee in May and deferred for

a site visit. The site visit took place on 22nd August. The application was presented to Planning Committee in September and deferred for consideration of additional information.

Addendum

- The agent for the application contacted officers and requested that the application be deferred for one month to afford members additional time to consider important material considerations that were not referenced within the case officer report or the agenda papers.
- A pack including the additional information has now been provided.
- It is recommended that the committee agree to defer the application for one month to allow members the time to consider the additional information provided. This recommendation supersedes the recommendation provided in the Planning Committee Report.

The Chair put the recommendation to the Committee.

Proposed by Councillor Peacock

Seconded by Councillor C Archibald

- that the committee agree to defer the application for one month to allow members the time to consider the additional information provided.

The Chair put the motion to the Committee to vote.

12 Members voted For, 0 Members voted Against, 0 Members Abstained.

The Chair declared the motion carried and application deferred.

RESOLVED - that the committee agree to defer the application for one month to allow members the time to consider the additional information provided.

* **Councillor McMullan rejoined the meeting at 12.09pm.**

5.8 LA01/2023/1165/F, Referral, 25 Peters Road, Drumsurn

Report, Presentation, Site Visit Report and Speaking Rights Template for C Smyth, were previously circulated and presented by Senior Planning Officer, M McErlain.

Referral Application to be determined by Planning Committee

App Type: Outline Planning

Proposal: Provision of 3no. self-contained Holiday Pods, car parking & ancillary enhanced landscaping to the east of and adjacent to the existing dwelling at 25 Peters Road, Drumsurn.

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.

Senior Planning Officer presented via powerpoint as follows:

- LA01/2023/1165/F is a full application for the provision of 3no. self-contained Holiday Pods, car parking & ancillary enhanced landscaping to the east of and adjacent to the existing dwelling at 25 Peters Road, Drumsurn.
- This is a local application and is presented to the Planning Committee as a referred item following a recommendation to refuse planning permission
- The site is located in the rural area as defined in Northern Area Plan 2016 approximately 2.75km south-east of Drumsurn and 9.5km north-east of Dungiven. The site is not located within any environmental designated sites.
- The site is located in the north-eastern portion of site to the rear of the existing dwelling and garage at No. 25. The site is accessed via an existing access to No. 25 Peters Road.
- The proposed siting of the pods is on a flat grassed area, which is elevated approximately 1.3m above the rear yard. The site boundaries within this portion of the site are predominately defined by post and wire fencing. The site boundaries to the roadside and north-western and south-eastern site boundaries are defined by trees and hedgerow. The roadside boundary is defined by a timber ranch fence with stone pillars at the entrance.
- The only planning history on the site relates to the dwelling which currently occupies the site. B/2002/0032/O (allowed on appeal) and B/2004/0137/F.
- The proposed pods have a footprint measuring 5m X 7.12m and are of pitched roof construction. The pods are 4.6m in height and are finished in a grey metal cladding to the walls and roof, with the entrance façade finished entirely in glazing.
- As the pods do not fall within the definition of a caravan as set out in the Caravan's Act the application falls to be determined under policy TSM5 of PPS16 which relates to Self-Catering Accommodation in the Countryside.
- Policy TSM 5 states that planning approval will be granted for self-catering units of tourist accommodation where it meets one of the criteria (a) to (c). Criteria (b) of Policy TSM 5 permits proposals comprising a cluster of 3 or more units at or close to an existing or approved tourist amenity that is/will

be a significant visitor attraction in its own right. Additionally, Policy TSM5 states that in relation to criteria b, self-catering development is required to be subsidiary in scale and ancillary to the primary tourism use of the site.

- PPS 16 defines a tourist amenity as “an amenity, facility or service provided primarily for tourists (defined as overnight visitors and day visitors) but does not include tourist accommodation”.
- The agent identified a range of ‘attractions’ within the wider vicinity of the application site which are associated with the built/historic and natural heritage.
- These attractions are classed as tourism assets, defined in PPS16 as features associated with the built or natural environment which is of intrinsic interest to tourists.
- Roe Valley Country Park was identified as ‘Tourist Amenity’ which is approximately 9km from the Roe Valley Country Park.
- While Policy TSM5 does not define the term ‘close to’ the everyday understanding of the term in regard to physical proximity is taken to mean a short distance or near to. This interpretation is reinforced by the policy requirement for proposals to be ancillary to the primary tourism use of the site.
- In this regard a distance of 9km from a Tourist Amenity is not considered to be ‘close to’ for the purposes of the policy. This approach is consistent with planning appeal 2019/A0161 (Appendix 1- Committee Report).
- Additionally, the proposed development would represent the primary tourism use at the site and not an ancillary element to the primary tourism use of the site.
- The proposal is contrary to Policy TSM5 of PPS16
- The agent makes reference to a document entitled Glamping in the Countryside which promotes tourism in the Borough in which reference is made to the term ‘close to’ on a number of occasions. The agent asserts that the terminology within this document should be the accepted position of the Council when considering the proposed development in the context of Policy TSM5.
- The term referenced within this document however is not used in the same context as Planning Policy nor indeed in the context of the requirement under Policy TSM5 to be at or close to a tourist amenity.
- In this regard the Planning Department do not consider the referenced document to be of merit in assisting with the interpretation of Policy TSM5.

- The agent has highlighted a number of what they consider to be comparable examples of glamping within the Borough. These have been considered at Paragraphs 8.15 and 8.16 of the Planning Committee Report.
- The layout of the proposed development provides an informal layout. The proposal will not have any unacceptable impact on the natural or built heritage and will not adversely impact upon surrounding residential amenity.
- The application site benefits from screening from existing vegetation and built development both within and adjacent the application site.
- On approach from the north-west along Peters Road views of the site become attainable at a distance of approximately 180m (passing No. 27). Existing mature trees and the rising landform to the north and east provide a backdrop ensuring the proposal will not appear unduly prominent. Views on the northern approach are brief and largely filtered by roadside trees.
- The rear portion of the application site, where the pods are proposed lacks vegetation to its boundaries to screen views of the pods on the northern approach. The lack of vegetation to the rear portion of the site is not fatal to the proposal and the applicant has provided a landscaping scheme to define the undefined north-western boundary which would provide satisfactory screening once established.
- On approach from the south-east views of the application site are largely screened until passing the site frontage, where the existing dwelling and garage will largely screen the development from views.
- The proposal satisfies the policy requirements within Paragraph 6.70 of the SPPS and Policies CTY13 and CTY14 of the SPPS and Policy TSM7 of PPS16.
- Consultation was carried out with DFI Roads, NI Water, Environmental Health and DAERA Water Management Unit who have no objections to the proposal.
- In conclusion, the proposal fails to comply with the requirements of Paragraph 6.260 of the SPPS and Policy TSM 5 of PPS 16 in that the proposed cluster of 3 self-catering units are not located at or close to an existing tourist amenity. Additionally, the proposed development would represent the primary tourism use at the site and would not be ancillary to a primary tourism use of the site.
- In addition, no overriding reasons have been forthcoming as to why the development is essential, therefore the proposal is contrary to policy CTY1. Refusal is recommended.

The Chair invited questions for the Officer.

Alderman Boyle referred to the term '*close to*' she stated Roe Valley Arts Centre approximately 9km away, roughly 15-18 minutes taking into consideration the time and distance given the rural area, with not a lot of traffic probably about 15 minutes away.

Senior Planning Officer clarified the policy related to physical proximity and cited appeal reference that it was physical proximity when considering '*at*' or '*close to*'.

Councillor McMullan referred to the idea of tourism, that people get out and look around the area, hiking etc. He stated it was confusing, that one part made sense, however the other contradictory, Tourism, '*close to*', a few hundred yards.

Senior Planning Officer referred to Tourism Policy PPS16 which he stated set out difference between Tourism Amenity and Tourism Assets in the Glossary. The purpose of the policy is to site close to amenities to safeguard the scenic quality and to reduce proliferation of accommodation that would spoil the appearance of the rural character of the area.

Councillor McMullan stated he was in the tourism industry for 30-40 years, it was seasonal, there was a type of tourism that was for the seaside, people in winter were walkers and he did not think that had been taken into consideration. There were different types of tourists that came to the area for built attractions and that had to be factored into the application, e.g. tourists would require a room to dry clothes.

Senior Planning Officer referred to striking a balance between preserving the beauty of the landscape and ensuring that the area is not spoilt due to over provision of accommodation, to preserve natural heritage features.

Councillor McMullan stated '*close to*' 'built attraction' built usually in town boundaries etc, how far to have to have '*close to*' a town boundary did an application have to be?

The Head of Planning stated the Policy set out in PPS16 is required to apply to the application and could only be changed through the Development Plan Process, that PPS 16 as adopted, was the current Policy document for assessing tourism applications.

Alderman Coyle referred to the ridge height which he stated was quite high, a new industry in tourism, many different shapes, and queried whether there was

a restriction in height? Alderman Coyle questioned what was required for the definition of a Caravan Site as opposed to Pods.

Senior Planning Officer stated the height was tall compared to more traditional pods. The issue assessed on a case-by-case basis on the sites ability with absorption and integration into the landscape. Senior Planning Officer stated a Caravan Park did not qualify under this policy. Need to consider a combination of size and number of units proposed, there was no set figure in Policy to define a Holiday Park. The consistent approach is that 2-3 pods would not be sufficient to define a new Holiday Park, there is a lack of communal amenities and therefore not considered under Policy TSM 6.

Councillor McGurk questioned the difference between Assets and Amenities, referred to the PAC case and Commissioners decision and cited from the document. Councillor McGurk stated Garvagh Museum 11 minutes away, biking trails, overall assets are amenities on site, to distinguish between or discounted natural Tourist Attraction.

Senior Planning Officer clarified walking and trails were considered to be associated with the natural environment, a subsidiary element to a Tourism Asset, making use of the asset, not purpose built.

Councillor McGurk stated a specific development requiring permission, not distinguished. Tourism Asset formed part of a wider asset - specific mountain bike trails, there was planning permission for elements of the facilities that Council had to provide onsite to make suit. Issue has shifted focus on tourism to include assets much more, need to be apply Policy in terms of what landscape was at that time. Deemed Amenity as opposed to asset.

Senior Planning Officer advised it would depend on the scale and nature. Roe Valley Country Park was accepted as a Tourist Amenity, as it has a Visitor Centre and Cafe, rather than the just a river and walking trails without facilities. Garvagh 'at' or 'close to' whether meet with that. The Museum is 9km and is considered to be in the proximity not 'at' or 'close to'.

Councillor McGurk queried what did PAC decisions tell us, distance by time, 7 minutes to Dungiven, 11 minutes to Garvagh, 13 minutes to the Roe Valley Country Park, not exceedingly long distances for tourists coming in, an acceptable travel distance as a base point for accommodation.

Senior Planning Officer referred to an Appeals Reference within the Planning Committee Report, the Tourism Amenity of Glenarm 0.6km away and the Planning Appeals Commission, given the distance, gave limited weight as transport disregarded and not accepted as, 'at' or 'close to'.

Councillor McGurk questioned whether there was precedent, the Glamping Pod and Wedding Venue nearby, the Policy context was passed.

Senior Planning Officer clarified the Wedding Venue had 12 Shepherd Huts, decking, BBQ, pods and caravan and communal features, the Holiday Park approved under Policy TSM 6.

Councillor McMullan questioned how to differentiate with the coastline from other natural built Tourism Assets.

Senior Planning Officer stated it would be site specific what tourism facilities exist along the coastline. Association with natural environment may be Tourist Amenities as well and taken on a case-by-case basis.

Alderman Boyle referred to the definition of Tourism Amenity – Banagher Old Church, did it have to have a coffee shop?

The Head of Planning clarified the definition within PPS 16 Glossary and Policies within and cited the definition of a ‘Tourist Asset’ and the definition of a ‘Tourist Amenity’.

Alderman Scott sought clarification of distance between and distance travelling time, agreed that most towns in Northern Ireland and within the Borough were no more than a 15 minute journey, would that leave it open to have to grant permission for Pods anywhere in between a 15 minute drive to an Amenity.

The Head of Planning advised each application taken on a case by case basis, e.g. maybe consideration under Farm Diversification policy, or Tourism Policy. The Head of Planning referred to a PAC decision on proximity and cited from paragraph 11, referred to paragraph 13 of the PAC decision and cited from this, that PAC interpretation of Policy for a Tourism Asset, Tourism Amenity, and wider landscape setting.

The Chair invited C Smyth to speak in support of the application.

C Smyth addressed Committee advising he had met and discussed the application with Council Members. The Chair questioned C Smyth on this statement, C Smyth clarified they were not Members of the Planning Committee.

C Smyth addressed Committee, a tourism site for the natural beauty of glamping in the countryside. Historic towns of Limavady and Dungiven, attract a large amount of visitors each year, working with Invest NI to enhance tourism. C Smyth stated the stays would benefit local businesses, shops in Limavady

and Dungiven. Exploring nearby Tourist Amenities would strengthen the economy. C Smyth referred to PPS 16 policy TSM 5 and advised of similar precedence in the rural area in Plumbridge and Park and aligns with these.

C Smyth stated Roe Valley Country Park further supported the required criteria. There had been no objections, DfI Roads content, most visitors arrive by car or van and aligns with other glamping in the countryside. C Smyth stated under PPS 16 planning permission was granted for 3 or more self-catering units close to an existing Tourist Amenity. Meets proximity from Peters Road to Limavady, Dungiven 10 minutes away and acceptable. PPS 16 did not define 'close', despite the extensive Glossary, the site close to Limavady, Dungiven, Roe Valley Country Park, River Roe, Benbradagh Mountain, tourist footfall and tested in the Sperrins- Application LA11/2021/0450/F.

C Smyth stated of Walking and Hiking trails on Benbradagh, German Walking Group had asked for specific local accommodation options. There was unique WWII infrastructure at the top of Benbradagh, cater for walkers, fishermen, meets PPS 16. Aligns with Council Tourism goals, meets PPS 16 would enhance the standard within the Causeway Cost and Glens area. Glenarm Castle is a Grade A Listed Building.

The Chair invited questions for the speaker.

Councillor Watton stated Benbradagh was an attraction, the application sat on the side of it, he stated he took the point of being dotted about the country, he referred to being very, 'close to' the attraction and asked the speaker if they agreed.

C Smyth stated at this site in the summer the beauty can be seen, Benbradagh is untapped, people came to see the WWII infrastructure from the Borough and wider Province. Roe Valley Country Park, an established Tourist Amenity, is no longer than 10 minutes by car, same goes for Dungiven, Limavady, River Roe. He stated the Planning definition is blurred.

Councillor McGurk asked the speaker what their research was on the definition of, 'close to', and Appeals Decision on the assessment the Officer put forward.

C Smyth referred to an example in Park, development located in PPS 16, he stated for 'close', there was no definition in Policy. People want to get away from the hustle and bustle of towns, want to glamp in the countryside; that other applications went to Planning Committee and approved. Glossary of terms did not include 'close'. In a rural environment getting to somewhere in 10 minutes was close.

Councillor C Archibald stated the underselling of tourist attractions, Banagher Cashel, Garvagh, Glen Old Church Ruins, Glenullin, multitude of attractions.

Councillor McMullan referred to the Ulster Way, a countryside Tourism Asset connecting different parts of the countryside 'close by' is close by and questioned where did that come in with Policy?

C Smyth stated some people like to get away to a hotel in a formalised setting, not everyone likes this, with fishing and walking gear, no closing time, enjoy the rural setting of the Ulster Way.

Alderman Coyle stated the debate revolved around Assets and Amenities and a loose definition of tourism, talked about physical and time distance, he referred to Dungiven and Tourism around sports, eg: County GAA, and whether that fell within tourism and tie in with this accommodation, he stated a sports ground was like a tourism amenity.

Senior Planning Officer stated a sports stadium was not a tourist amenity, spectators were attracted there for the sporting event.

Proposed by Councillor McGurk
Seconded by Alderman Boyle

- 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 following reasons:

- Discussion on what has classed as an Amenity vs Asset and close proximity of what considered acceptable in a rural setting;
- Application on the foot of Benbradagh, WWII heritage at the top;
- Known and accepted tourism amenities are a short drive away, in close proximity;
- Meets '*close to*', is within Council Strategic Objectives to promote tourism;
- Outdoor amenities and activities is what tourists come to the area for;
- Specific within 5-7 minutes from Tourist Amenities in Dungiven and 10-12 minutes from tourist amenities in Garvagh.

The Head of Planning cited the Refusal Reasons.

The Chair put the motion to the Committee to vote.

9 Members voted For, 4 Members voted Against, 0 Members Abstained.

The Chair declared the motion carried and application approved.

RESOLVED – 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 following reasons:

- Discussion on what has classed as an Amenity vs Asset and close proximity of what considered acceptable in a rural setting;
- Application on the foot of Benbradagh, WWII heritage at the top;
- Known and accepted tourism amenities are a short drive away, in close proximity;
- Meets 'close to', is within Council Strategic Objectives to promote tourism;
- Outdoor amenities and activities is what tourists come to the area for;
- Specific within 5-7 minutes from Tourist Amenities in Dungiven and 10-12 minutes from tourist amenities in Garvagh.

RESOLVED – That Conditions and Informatives are delegated to Officers.

The Chair declared a recess for lunch at 1.09pm until 2.00pm.

- * **The Chair declared a recess for lunch at 1.10pm.**
- * **Civic Support & Committee and Member Services Officer left the Chamber at 1.10pm.**
- * **The meeting reconvened at 2.00pm.**
- * **Committee & Member Services Officer joined the meeting in the Chamber at 2pm.**

The Head of Planning undertook a roll call of Committee Members present.

- * **Alderman Boyle, Councillor C Archibald and Councillor Anderson did not rejoin the meeting.**

5.9 LA01/2023/0514/F, Referral, 31 Station Road, Portstewart

Report, Presentation, Site Visit Report and Speaking Rights Template for C Cochrane, previously circulated, and presented by the Senior Planning Officer, M Wilson.

Referral Application to be determined by Planning Committee

App Type: Full Planning

Proposal: Proposed Replacement Dwelling & Garage

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 refusal reasons set out in section 10.

The Senior Planning Officer presented via Power Point presentation as follows:

- Full planning permission is sought for Demolition of existing dwelling & erection of replacement dwelling and garage.

- This is a local application and is being presented to Committee as it has been referred to the Committee for decision following a recommendation to Refuse. At the September meeting of the Planning Committee the application was deferred to allow for a site visit. This site visit took place on Monday past (21st October) and you have the site visit report in your packs. At the site visit a Member queried if there had been any revisions to the proposal. To give Members an update on this matter, the agent was made aware of concerns including size/scale of balcony and garage and that a 2 storey dwelling is unlikely to be acceptable and perhaps consideration should be given to a one and a half storey dwelling as this may afford an improved opportunity to deliver a larger dwelling while better reflecting the existing character. While changes were made reducing the overall width of the balcony, and the proposed garage was reduced and is considered acceptable, the dwelling remains a 2-storey dwelling which is unacceptable.
- There is also a Verbal Erratum to Page 2 of the Planning Committee Report – on page 2 this references LA01/2023/0513/F in the table but this is a typo and should read LA01/2023/0514/F. Also, on Page 11 reference in Para 8.20 refers to Para 8.18 but is a typo and should reference concerns raised in Para 8.19
- The site is located within the Settlement Development Limit for Portstewart. It is not subject to any specific zonings or designations as set out in the Northern Area Plan 2016.
- This is a satellite image showing the site in relation to the surrounding development and is identified with the red star within Portstewart.
- This is the red line of the application site. In the context of the site, it is considered that the proposed dwelling fails to respect the surrounding context and would be unduly prominent.
- This is the existing dwelling to be replaced – you will note its scale and relationship to the neighbouring property.
- Looking at the streetscape itself and surrounding context; you will note the low rise of the existing development and this next slide shows the single storey nature on both sides of the road.
- You will note from this slide that No. 37 Station Road, the 2-storey red brick building appears hugely conspicuous and does appear incongruous on Station Road. This is a good example of a replacement being out of context and should not be considered the norm or the catalyst for future development. Notwithstanding this one exception, the regular rhythm of the roofs, and shared characteristics of form and design and ridge heights from ground level define the character of the immediate and wider area. Most of the dwellings are pitched roofed with a few incorporating hipped

roofs. Bay windows, dormers, single storey front projections, are all common features.

- On the opposite side of the street from the application site, Nos. 44-64 Station Road, the regular rhythm of the roofs, stepping down with the road, and shared characteristics of form and design, define the character.
- Due to the increase in scale, unbroken 2-storey elevation and the fact the proposed dwelling will be 1.7m further forward on the site, the proposal will feel dominant and overbearing when viewed from the large window to the front/side of 33 Station Road. Similarly, the proposed dwelling will appear dominant when viewed from 29 Station Road, considering the increase in scale, difference in ground levels (29 site lower than the subject site), massing and the development being further forward on the site.
- This slide shows the plan and elevations of the proposed dwelling, and this next slide shows a 3D images of the dwelling.
- The gable-on design of the proposal exacerbates its prominence as it is not replicated within the immediate streetscape, and it is located in an area with a very defined and noticeable character. Similarly, the proposed roof design is not replicated in the immediate streetscape and therefore would appear incongruous and have a detrimental impact on the character of the area.
- A contextual streetscape submitted by the Agent on behalf of the applicant showing the existing and proposed contextual.
- The proposal is contrary to Planning Policy Statement 7 'Quality Residential Environments' Policy QD 1 criteria (a), (g) and (h) in that, if approved, the proposal would have a detrimental impact to the character of the area and neighbouring amenity by way of the design, scale and massing.
- 7 Objections from 2 addresses have been received and these are set out in Para 5.1 of the Committee Report and considered under this paragraph or within the report.
- No objections have been raised by any consultee including Northern Ireland Electricity, DfI Roads, Environmental Health and Northern Ireland Water.
- The application is recommended for Refusal.

In response to questions, the Senior Planning Officer stated that it is an established principle in Planning that one poor decision does not justify further poor decisions. The Senior Planning Officer advised that greater weight is given to the prominent character of the area.

The Chair invited C Cochrane to speak in support of the application.

C Cochrane referred to the site visit report which states this is a 2-storey dwelling, it is actually a 1 and a half storey dwelling which has a marginal increase in ridge height. There is a similar example of ridge height at no 37 Station Road which should be afforded material weight. The design of this dwelling is sensitive to the residential environment. There are no statutory objections and no negative impact on the residential amenity. The objections that have been received have been addressed, the design of the building has been revised in relation to how it will appear in the streetscape and the dwelling will integrate with the sloping nature of the site.

There were no questions for the speaker.

Proposed by Alderman Stewart

Seconded by Alderman Coyle

- 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 refusal reasons set out in section 10

The Chair put the motion to the Committee to vote.

3 Members voted For; 4 Members voted Against; 4 Members Abstained.

The Chair declared the motion lost and application approved.

Councillor Watton queried the vote, stating 4 Members voted For. The Head of Planning cited the votes cast.

The Head of Planning sought reasons for the approval from Planning Committee Members.

RESOLVED – 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 subject to the refusal reasons set out in section 10 for the following reasons:

- This is a subjective matter, it will not have a detrimental impact on policy QD1.
- It will not have a detrimental impact on the character of the area by way of design, scale and massing.
- No 37 received planning permission, it is poor consistency to approve it and not this application.

- This road has single storey, storey and a half and 2 storey dwellings. For consistency there is the need to make the leap to go beyond a bungalow. This building will be consistent with other buildings, it will not look out of character and as time goes on with more buildings it will integrate.
- This building will not be dominant, taking in the 1.5metre increased ridge height the road is sloped and, in a town setting it is unlikely to not have overlooking.
- The design is acceptable.
- There was no sunlight study completed for overshadowing. The windows are designed to prevent overlooking.
- There is a modest increase in ridge height.

RESOLVED – That Conditions and Informatives are delegated to Officers.

* **Senior Planning Officer M Wilson left the meeting at 2.34pm.**

5.10 LA01/2021/1513/O, Referral, Site adjacent to no.40 Vale Road, Greysteel

Report, Presentation, Site Visit Report, Speaking Rights Template for A Boyle, previously circulated, were presented by Senior Planning Officer R McGrath.

Referral Application to be determined by Planning Committee

App Type: Outline

Proposal: Proposed site for infill dwelling in an established cluster – dwelling replacing existing property at 40a Vale Road.

Recommendation

That the Committee has taken into consideration and agrees with the reasons for 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 Senior Planning Officer presented via powerpoint as follows:

- Item 5.10 is an application for outline planning permission for a dwelling under reference LA01/2021/1513/O. The application has been referred to Planning Committee for consideration; it was previously presented to Planning Committee in September and deferred for a site visit. A site visit took place on Monday, a report of which is included in members packs for consideration.
- Outline planning permission is sought for a dwelling under Planning Policy Statement 21: Sustainable Development in the Countryside. The application is described as - Proposed site for infill dwelling in an established cluster – dwelling replacing existing property at 40 Vale Road, Greysteel.

- The application has been assessed against Policies CTY 1, CTY 2a, CTY 3, CTY 6 and CTY 8 of PPS21.
 - The site is located on land adjacent to 40a Vale Road, within the rural area as identified within the Northern Area Plan (NAP) 2016.
 - Council have received a petition of support containing 21 signatures.
 - However, the principle of development is not considered acceptable under Policy CTY 1 as there are no overriding reasons why that development is essential and could not be located in a settlement.
 - Policy CTY2a - The proposed development site lies outside of a farm and there are four dwellings located on lands around the application site. However, the site and the associated buildings do not form a cluster and are not eligible for consideration under policy CTY2a.
 - The proposed site is not visually associated with the grouping, as it is separated by the mature vegetation positioned on the south-eastern boundary. Given the level of screening afforded, the grouping does not read as a visual entity in the landscape.
 - The proposed site is not associated with a focal point / social / community building or is located at a crossroads in the area. It is suggested from the agents supporting statement, that, there is a cluster at the application site, and is known as 'Upper Road' with the junction a recognised area of local interest known as Brolly's Corner with a local historic relationship with Brolly's shop and Brolly's farm.
 - The agent has provided a map identifying the location of Brolly's Corner and the historic location of Brolly's shop, along with a petition of 21 signatures confirming the area as a meeting spot. However, the application site is not at a crossroads and the shop no longer exists. Notwithstanding, the identified location of the shop is somewhat removed from the location of the site and the perceived cluster. Whilst the junction may naturally serve as an informal meeting spot in the area, it does not satisfy the requirements of the policy which calls for a social / community building / facility.
 - Development of the site would therefore not round off or consolidate an existing group but would break out from the integrated grouping into an open adjacent field.
- Site Visit Request for Planning History
- The adjacent property, no. 40 was approved under B/1984/0349/.
 - No. 37 opposite the site was approved under B/1985/0151.

- 38a was approved under B/99//0253/O, 38b was approved under B/2003/0371/O. 38c was the only dwelling approved under the current policy documents as a dwelling on a farm under policy CTY10 which was reference B/2010/0290.
- The applicant also had two previous applications for a dwelling on this site B/2005/0358/ was withdrawn and B/2010/0104/F was refused planning permission on the grounds that it was contrary to policy CTY 8 as it is not a gap site and would result in ribbon development. It was during this period that the caravan was placed on the site.

Policy CTY3 Replacement Dwelling

- Policy CTY 3 clearly states that buildings of a temporary construction will not be eligible for replacement under this policy.
- The building that is subject to being replaced is a large static caravan. The caravan is propped up by blocks. It is well established that a caravan is considered to be a building of temporary construction. There are a number of relevant decisions by the PAC on this issue, which have been set out on pg. 10 of the report.
- Therefore, the caravan is not eligible for replacement under Policy CTY 3.

Policy CTY 6

- As part of the application the agent has submitted a supporting statement and medical information for consideration under policy CTY 6.
- The need for a new dwelling is not compelling and site specific, rather one of desire, over an alternative option within a nearby settlement, or of purchasing a development site in the rural vicinity. The proposal is therefore not in accordance with policy CTY 6.

Policy CTY 8

- As outlined in the previous planning history, application B/2010/0104/F on this site was refused planning permission on the grounds that it was contrary to policy CTY 8 as it is not a gap site and would result in ribbon development.
- The application plot does not respect the development pattern within the area in that the site is significantly larger than the plots afforded to the neighbouring properties. The site is not eligible for consideration under policy CTY 8 as there is not a substantial and continuously built-up frontage and there is no gap site to develop. The proposal fails to meet the principle policy test of policy CTY 8, as the site is located at the end of the current built up frontage onto Vale Road, and would therefore create a ribbon of development, along this stretch of the road.
- The proposal fails to meet the criteria for the principle of development under Policies CTY 2a, CTY 3, CTY 6 and CTY 8.

- DFI Roads, NI Water and NIEA (Water Management Unit), Environmental Health and DEARA were consulted on the application and raise no objection.
- The application is recommended for Refusal.

There were no questions for the Officer.

The Chair invited A Boyle to speak in support of the application.

A Boyle stated the applicant is local to the area, he has lived in the caravan for over 10 years and that his family live in the area. Brolly's Corner is known as the local meeting area. Replacing the caravan with this dwelling is a betterment to the area. The Planning Committee Report states there is an existing development which nestles into the site at the rear, there will not be a greater impact than what already exists. The dwelling will integrate and will not be prominent, it could be conditioned that the dwelling has to respect the scale and massing of the surrounding properties. A Boyle stated the Planning Committee Report ignores no. 37 to the west, in every direction the site is surrounded by a group of dwellings; Building On Tradition accepts this. There is a staggered crossroads at the road and laneway. The caravan is exempt from enforcement, this is a good infill opportunity at Brolly's Corner. An infill site is acceptable for 2 dwellings.

There were no questions for the speaker.

In response to questions, the Senior Planning Officer advised that for the purposes of policy CTY2a a crossroads is a public road; for an infill site there can be frontage onto to a road or onto the lane, not both. There are other dwellings, but they are on the other side of the road. In 2010 planning permission was refused at this site as there is a build-up of development. Other planning permission that has been granted approval was prior to 2010, there has been no material change since then.

Proposed by Alderman Scott

Seconded by Councillor Kennedy

- That the Committee has taken into consideration and agrees with the reasons for 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 Chair put the motion to the Committee to vote.

6 Members voted For; 0 Members voted Against; 5 Members Abstained.

The Chair declared the motion carried and application refused.

- * **Senior Planning Officer R McGrath left the meeting at 2.54pm.**
- * **Development Plan Manager joined the meeting in the Chamber at 2.34pm.**

5.11 LA01/2023/0563/O, Referral, 20m NW of 16 Munalohug Road, Dungiven

Report, Presentation and Speaking Rights Template for C Gourley, previously circulated, were presented by Senior Planning Officer, M McErlain.

Referral Application to be determined by Planning Committee

App Type: Outline

Proposal: Proposed infill dwelling and garage.

Recommendation

That the Committee has taken into consideration and agrees with the reasons for 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.

Senior Planning Officer presented via powerpoint as follows:

- LA01/2023/0563/O is an Outline application for the provision of Infill dwelling and garage at lands 20m NW of 16 Munalohug Road, Dungiven.
- This is a local application and is presented to the Planning Committee as a referred item following a recommendation to refuse planning Permission
- The site is located in the rural area as defined in Northern Area Plan 2016. The site is not located within any environmental designated sites.
- The application site as defined by the red line boundary encompasses the entirety of the field in which it is sited however, the indicative site plan indicates the proposed dwelling is to be located in the northern portion of site immediately adjacent to the roadside. Access to the site is proposed via the construction of a new access onto Munalohug Road.
- The application site is bounded to the northern (roadside) boundary by a post and wire fence and field gate, with only a small, minimal hedgerow present. The eastern boundary (adj. No. 16) is mainly defined by a timber fence with some tree/shrub planting along it. The western boundary comprises a post and wire fence and gorse hedgerow. The southern (Rear) boundary, as proposed, is undefined.

- There is previous planning history on the site. Application B/2000/0446/O - which was for a dwelling - was refused planning permission 16th January 2001.
- As this application has been submitted as an infill dwelling it falls to be determined under paragraph 6.73 of the SPPS and Policy CTY 8 of PPS 21.
- Policy CTY8 allows for the development of a small gap site sufficient only to accommodate up to a maximum of two houses within an otherwise substantial and continuously built-up frontage provided these respects the existing development pattern along the frontage in terms of size, scale, siting and plot size and meets other planning and environmental requirements.
- To the south-east of the application site are the dwelling at No. 16, an agricultural shed/yard, the dwelling at No 14 and the dwelling at No. 12. To the north-west of the application are the dwellings at Nos. 22 and 26, which are separated from the application site by an agricultural field. All of the aforementioned plots have a direct frontage onto Munalohug Road. It is therefore accepted that there is a substantial and continuously built-up frontage at this location.
- The average frontage measurement along the substantial and continuously built-up frontage is 38m.
- Paragraph 5.34 of PPS21 outlines that the gap to be considered is between buildings (building to building).
- The gap (building to building) between the dwellings at No. 16 and No. 22 is approximately 137m.
- When assessed against the average plot widths along the frontage, the gap is more than three times the average plot width and capable of accommodating 3 dwellings. The gap is excessive in size when assessed against the existing character/pattern of development in the area.
- The average plot size of the plots within the built-up frontage = 1694sqm
- The application site, as indicated on Drawing No. 02 has a plot size of 3766sqm. This is significantly larger than both the average plot size along this stretch of Munalohug Road, and the largest plot within the built-up frontage (No. 12) (3208sqm).

- The proposal does not represent a small gap site capable of accommodating a maximum of two dwellings and is not reflective of the established pattern of development within the frontage and again fails to comply with Paragraph 6.73 of the SPPS and Policy CTY8.
- Additionally, the infilling of this site and potential subsequent remaining site to the North-West would add to existing development along the road frontage, resulting in the addition to ribbon development, which is detrimental to the character, appearance and amenity of the countryside, which is also contrary to Policy CTY8.
- As this is an outline application no detailed plans have been submitted regarding the design of the dwelling.
- An indicative block plan was submitted which showed the dwelling sitting relatively in line with no. 16. The land rises in level towards the west, with the site apparent when travelling west along the frontages of nos. 12, 14 and 16. While a dwelling may appear slightly prominent in this location it would somewhat benefit from the backdrop of no. 22 and the relatively mature western field boundary.
- A single storey bungalow would be the maximum form of development considered acceptable in this particular location in relation to integration.
- When in the immediate vicinity of the application site, the proposed dwelling would be read/intervisible with the immediately adjacent built development which, in addition to the roadside development referenced at Paragraph 8.7 of the Planning Committee Report, includes the dwelling at No. 16a (to the rear of No. 16).
- The infilling of this gap which exists between the buildings to the south /south-east of the site and the buildings to the north-west of the site would remove an important visual break which provides visual relief to the built-up character in the vicinity, resulting in the further erosion and damage to the rural character of the area, through suburban style build-up.
- As outlined the proposal would result in the addition to ribbon development, which is detrimental to the character, appearance and amenity of the countryside.
- The proposal fails to comply with Policy CTY14.

- View of the application site when viewed from the Munalohug Road at the proposed site entrance/access.
- View of the application site with the dwelling at No. 22 evident in the background. You will note the extent of the gap between the application site and No. 22.
- View of the application site from the north-western corner/boundary.
- View towards the application site from adjacent to No. 22. Again, you will notice the size of the gap between the dwelling at No. 22 and No. 16 in the distance. You will also note how the intervening field and the field containing the application site provide visual relief to the built-up extent of development to the eastern side of the application site, and maintains the rural nature and character of the area.
- Image of the Dwelling at No. 16 and the adjacent agricultural shed. You can see that the residential curtilage of No. 16 is defined by the small wall and fence, which separates it from the adjacent plot containing the agricultural shed.
- This shows the access lane for the dwelling at No. 16a, sited to the rear of No. 16, and clarifies that the laneway is a separate entity to the adjacent agricultural shed and does not form part of the frontage of the shed and cannot be considered when determining the plot width for the shed.
- Consultation was carried out with DfI Roads, Environmental Health, NI Water and DAERA Water Management Unit who raised no concerns.
- In conclusion the proposal is contrary to Paragraphs 6.70 and 6.73 of the SPPS and Policies CTY8 and CTY14 of PPS21 in that the application site does not constitute/not within a small gap site within an otherwise substantial and continuously built-up frontage and the proposal would be detrimental to the rural character of the area by causing a suburban style build-up of development when viewed with existing buildings and would add to ribbon of development.
- In addition, no overriding reasons have been forthcoming as to why the development is essential, therefore the proposal is contrary to policy CTY1. Refusal is recommended.

In response to questions, the Senior Planning Officer advised he could not confirm ownership of surrounding buildings. The plots are clearly defined by the

fence and wall and appear as 2 physical entities. If the 2 buildings were taken as one the gap would still be excessive and could accommodate 2 dwellings. When the average plot size is calculated it is not an exact science, there is some leeway, but this gap can accommodate 3 dwellings. The Senior Planning Officer advised the plot size is factored into the decision-making process but the gap size takes precedence.

The Head of Planning confirmed that it is a material fact that there are 2 separate plots and curtilages. For anyone looking at the 2 buildings it is reasonable to consider them as 2 separate plots.

The Chair invited C Gourley to speak in support of the application.

C Gourley stated the main issue is the size of the gap. C Gourley disagreed with the assessment of no. 16 on the site plan, the wall extends three quarters of the way into the plot so does not divide it in 2. The dwelling is lived in by the applicant's grandfather and the outbuilding is used to store vintage tractors. The applicant's mother has access to the rear. The entire curtilage is 50m, the curtilage at no.14 is 50m, no.12 is 60m, no.26 is 50m, no.22 is 34m which is an anomaly along the frontage. When the average is taken across the 5 plots it is 45 – 50m, the application site is 55m which is not that much bigger than the average and is not as big as the biggest plot. It is the appreciation of when you are travelling along the road that needs to be considered and this dwelling would be similar to bungalows located to the west. The plot at no.16 is being artificially divided and not in favour of the applicant. There is access to the house at the rear and houses past the house can be seen, the gap is small. When travelling along the road you would not get 3 dwellings into the gap.

In response to questions, C Gourley advised the distance between boundaries is 120m. When asked about the distance between buildings C Gourley advised it is 130 m. She reiterated that a plot size of 55m is not far from the average and less than the largest plot of 60metres. When travelling along the road there is an appreciation of bungalows on sizeable plots. When looking at the plot sizes you would not fit 3 dwellings on this plot.

The Chair queried whether Planning Committee Members would consider a site visit to be beneficial.

Proposed by Councillor Watton

Seconded by Councillor Kennedy

- That Planning Committee defer LA01/2023/0563/O, Referral, 20m NW of 16 Munalohug Road, Dungiven, to hold a site visit to see the plot sizes.

The Chair put the motion to the Committee to vote.
11 Members voted For, 0 Members voted against, 0 Member Abstained.
The Chair declared the motion carried and application deferred for a site visit.

RESOLVED - That Planning Committee defer LA01/2023/0563/O, Referral, 20m NW of 16 Munalohug Road, Dungiven, to hold a site visit to see the plot sizes.

The Chair advised that Andrew Gillen from the DfI Roads will no longer be attending Planning Committee meetings due to moving to a different job and requested that a letter of thanks for his hard work is sent to him.

The Chair declared a recess at 3.27pm.

* **The meeting reconvened at 3.36pm.**

The Head of Planning undertook a roll call of Committee Members present.

6. LOCAL DEVELOPMENT PLAN (LDP)

6.1 Local Development Plan

A verbal update provided by the Development Plan Manager.

The Development Plan Manager stated that Members will be aware of the work of the Council's Development Plan team that brought us to the current stage of draft Plan Strategy preparation.

The Development Plan Manager advised the most recent quarterly verbal update was given at the 25th September Planning Committee Meeting, where Members were informed of the outcome of the recent procurement exercise (issued on 24th May 2024 and closed on 10th July 2024), to seeking to employ consultants to undertake Independent Housing Research to inform the Plan preparation. The Council received no submissions in response to the tender advert.

The Development Plan Manager stated this further update is to advise Members that, further to that procurement exercise and, as requested, Planning officials are now in discussion with Ulster University regarding independent housing research. Planning officials met with Ulster University on 8th October and an update on this was presented at the LDP Working Group held on 9th October.

The Development Plan Manager stated officials will now consult procurement section with a view to presenting a paper to the November 2024 Corporate Policy and Resources Committee seeking agreement to issue a Direct Award

Contract (DAC) to Ulster University to carry out this research. It is anticipated that the research, should be completed by July 2025, will inform the Plan preparation going forward.

Planning Committee NOTED the verbal update.

7. CORRESPONDENCE

7.1 DfC – Ministerial Response

Copy correspondence previously circulated presented by The Head of Planning.

Re: Invitation to Attend Council Meeting on 04 February 2025 to Discuss Strategic Housing Issues, Budget and Resolution to the Housing Crisis Problem in Causeway Coast and Glens Borough Council Area.

7.2 NIW – Economic Constraints

Copy correspondence previously circulated presented by The Head of Planning.

Re: NI Water Economic Constraints

7.3 DfI – Council’s response – Clarification on revised LDP timetable

Copy correspondence previously circulated presented by The Head of Planning.

Re: Causeway Coast and Glens Borough Council: Local Development Plan 2038 Revised Timetable

Planning Committee NOTED Correspondence Items 7.1 - 7.3 inclusive.

8. REPORTS

8.1 DfC – Advance notice of listing – 83 Castlenegree Road, Bushmills

Report, previously circulated was presented by the Development Plan Manager.

Purpose of Report

To present the Department for Communities (DfC) advance notice of listing.

Background

DfC wrote to the Council on 18th September 2024 (see Appendix 1) seeking comment on a proposed listing within the Borough under Section 80 (1) of The Planning Act (Northern Ireland) 2011.

The proposed listing is as follows (see also Appendices 2 & 3):

Reference	Address
HB05/08/005 E	83 Castlenagree Road, Bushmills, Co. Antrim, BT57 8XL.

Options

Option 1: Agree to support the proposed listing: or

Option 2: Agree to oppose the proposed listing.

Recommendation

It is recommended that the Planning Committee agree to either Option 1 or Option 2 and agree to the Head of Planning responding to DfC on behalf of the Council.

Proposed by Councillor McMullan

Seconded by Alderman Stewart

– that Planning Committee agree to Option 1 to support the proposed listing.

The Chair put the motion to the Committee to vote.

10 Members voted For, 0 Members voted Against, 0 Members Abstained.

The Chair declared the motion carried.

RESOLVED – that Planning Committee agree to Option 1 to support the proposed listing.

8.2 Amendment to Scheme of Delegation and Protocol for the Operation of the Planning Committee

Report previously circulated presented by the Head of Planning.

Purpose of Report

The purpose of this report is to insert an amendment to the Scheme of Delegation as agreed at Planning Committee of 26 June 2024 and reconvened on 28 August 2024.

Background

The Planning Committee, at its meeting of 26 June 2024, reconvened on 28 August 2024 in relation to the referral process of planning applications to Planning Committee, resolved that *“the Scheme of Delegation is amended to allow Elected Members additional time to submit additional information in the event the Chair has deemed planning reasons are not sufficient; the Head of Planning to look into the associated turnaround timeframe.”*

Details

Part B bullet point 3 of The Scheme of Delegation for the Planning Department currently states:

Applications listed on the 'Contentious Delegated Decisions to Issue' where an Elected Member of Council has requested the application be referred to the Planning Committee. The request must be accompanied with a statement outlining the material planning reasons for the referral and be received prior to 10am on the Monday following the issue of the weekly list on which the application is listed.¹...

Paragraph 7.4 of the Protocol for the Operation of the Planning Committee currently states:

Only those requests received within the specified timeframe will be considered by the Head of Planning or other authorised officer and the Chair of the Planning Committee and/or Vice-Chair. Only those applications that are considered to have sound planning reasons and received within the specified timeframe will be agreed to be determined by the Planning Committee. The Elected Member will be advised of the decision on the referral request.

Proposal

It is proposed to change the wording in the Scheme of Delegation to include the text below in red:

Applications listed on the 'Contentious Delegated Decisions to Issue' where an Elected Member of Council has requested the application be referred to the Planning Committee. The request must be accompanied with a statement outlining the material planning reasons for the referral and be received prior to 10am on the Monday following the issue of the weekly list on which the application is listed.¹ The procedure for considering the referral request is set out in the Protocol for the Operation of the Planning Committee...

It is proposed to change the wording of paragraph 7.4 of the Protocol for the Operation of the Planning Committee to read:

"Only those requests received within the specified timeframe will be considered by the Head of Planning or other authorised officer and the Chair of the Planning Committee and/or Vice-Chair. Only those referral requests received within the specified timeframe will be considered. Should the consideration determine that outlined material planning reasons for the referral are insufficient, the Elected Member will be advised and allocated a further 2 working days to submit further information. Only those applications that are considered to have detailed the outline material planning reasons for the referral will be agreed to be determined by the Planning Committee. The Elected Member will be advised of the decision on the referral request.

Options

Option 1 – To APPROVE the change in wording of bullet point 3 of Part B of the Scheme of Delegation and paragraph 7.4 of the Protocol for the Operation of the Planning Committee.

By accepting this wording will fulfil the resolution of the Planning Committee “*the Scheme of Delegation is amended to allow Elected Members additional time to submit additional information in the event the Chair has deemed planning reasons are not sufficient; the Head of Planning to look into the associated turnaround timeframe.*”

Option 2 – To DISAGREE with the change in wording of bullet point 3 of Part B of the Scheme of Delegation and paragraph 7.4 of Protocol for the Operation of the Planning Committee.

Option 2 would not fulfil the resolution of the Planning Committee at its meeting of 26 June 2024 reconvened on 28 August 2024. The Scheme of Delegation and Protocol for the Operation of the Planning Committee would remain unchanged.

Recommendation

It is recommended that the Planning Committee approve Option 1 to amended the wording of bullet point 3 of Part B of the Scheme of Delegation for the Planning Department and to the rewording of paragraph 7.4 of the Protocol for the Operation of the Planning Committee.

Proposed by Councillor Watton

Seconded by Councillor McGurk

- That Planning Committee approve Option 1 to amend the wording of bullet point 3 of Part B of the Scheme of Delegation for the Planning Department and to the rewording of paragraph 7.4 of the Protocol for the Operation of the Planning Committee.

The Chair put the motion to the Committee to vote.

10 Members voted For, 0 Members voted Against, 0 Members Abstained.

The Chair declared the motion carried.

RESOLVED – that Planning Committee approve Option 1 to amend the wording of bullet point 3 of Part B of the Scheme of Delegation for the Planning Department and to the rewording of paragraph 7.4 of the Protocol for the Operation of the Planning Committee.

8.3 Public consultation on validation checklist

Report, previously circulated, was presented by the Head of Planning.

Purpose of Report

The purpose of this report is seek approval to proceed to public consultation on the publication of a statutory Validation Checklist.

Background

The Northern Ireland Audit Office report, February 2022, acknowledged that application checklists can speed up processing times and notes that Dfl is encouraging Councils to introduce validation checklists in advance of the introduction of legislation to make them a legal requirement. The Public Accounts Committee recommended that the Department and local government should implement immediate changes to improve the quality of applications entering the system.

On 22 May 2024, Planning Committee agreed to the implementation of a non-statutory Validation Checklist with a commencement date of 01 September 2024. This validation checklist was prepared in consultation with agents through the RTPI/RSUA meeting with the Head of Planning.

On 01 October 2024 Dfl made a Statutory Rule “The Planning (General Development Procedure) (Amendment) Order (NI) 2024. The Amendment Order will commence operation on 01 April 2025. The interim period provides time for Councils to prepare and consult on their proposed statutory validation checklists (Appendix 1 (circulated)).

Details

The validation checklist approved by Planning Committee at its meeting on 22 May 2024 sets out the details of the information required to be submitted at validation stage (Appendix 2). Where an application is submitted without the necessary information set out in the Checklist, the information will be requested from the applicant on an informal basis. The new legislation makes provision for the council to issue a formal ‘notice’ of non-compliance with the validation checklist should the necessary information not be forthcoming. The applicant will then have the ability to lodge an appeal to the Planning Appeals Commission (PAC) within 14 days from the date of the notice. The PAC will preside over the appeal and determine whether the additional information in question is necessary. Where the appeal is allowed, the applicant may resubmit the application to the council based on the PAC decision.

The statutory average processing time will be measured from the date of the last information required to make the application valid in accordance with the published Validation Checklist. The consultation will be based on an online questionnaire and targeted engagement with key stakeholders. Feedback from the consultation will inform the proposed final version of the Validation Checklist to be brought to Planning Committee for adoption. The public consultation will

be based on the current Validation Checklist implemented on 01 September 2024.

Proposal

Whilst there is no legislative requirement for councils to publicly consult on their proposed validation checklist, the Planning Department intends to carry out a public consultation exercise over the coming months with key stakeholders to the planning process.

Options

Option 1 – To note the contents of the Planning (General Development Procedure) (Amendment) Order (NI) 2024 and AGREES to the Planning Department carrying out a public consultation with key stakeholders to inform the statutory Validation Checklist.

Although consultation with agents through the RSUA/RTPI meetings has already been conducted, the non-statutory validation checklist has now had a period of time to embed. Now is an opportune time to seek feedback from key stakeholders on the checklist, to take these comments onboard and to review the current checklist before adopting on a statutory basis.

Option 2 – To note the contents of the Planning (General Development Procedure) (Amendment) Order (NI) 2024 and DISAGREES to the Planning Department carrying out a public consultation with key stakeholders to inform the statutory Validation Checklist.

Public consultation has already been carried out with stakeholders through the RSUA/RTPI meetings which informed the existing validation checklist. It is therefore not necessary to carry out further consultation.

Recommendation

It is recommended that the Planning Committee APPROVE OPTION 1 – *To note the contents of the Planning (General Development Procedure) (Amendment) Order (NI) 2024 and AGREES to the Planning Department carrying out a public consultation with key stakeholders to inform the statutory Validation Checklist.*

In response to questions the Head of Planning confirmed that members of the public can be involved in the consultation process, the questionnaire will be put on the Council's website to facilitate this.

Proposed by Councillor McMullan

Seconded by Alderman S McKillop

- the Planning Committee approve Option 1 – *To note the contents of the Planning (General Development Procedure) (Amendment) Order (NI) 2024 and agrees to the Planning Department carrying out a public consultation with key*

stakeholders to inform the statutory Validation Checklist and include members of the public in the consultation.

The Chair put the motion to the Committee to vote.

10 Members voted For, 0 Members voted Against, 0 Members Abstained.

The Chair declared the motion carried.

RESOLVED – the Planning Committee approve Option 1 – *To note the contents of the Planning (General Development Procedure) (Amendment) Order (NI) 2024* and agrees to the Planning Department carrying out a public consultation with key stakeholders to inform the statutory Validation Checklist and include members of the public in the consultation.

8.4 BT Removal of Payphone - update

Report, previously circulated, was presented by the Development Plan Manager.

Purpose of Report

To update Members on the removal of BT payphones in the Borough.

Background

Members will be aware that BT wrote to the Council back in February 2024 setting out 18.no public payphone services in the Borough identified for removal. Planning officials have been in discussion with BT since then, at the request of Members, regarding the adoption of kiosks by community groups.

Officials, at the request of Members, also contacted BT to advise of Member concern relating to the loss of kiosks, particularly the traditional red kiosks. BT has responded, advising that they use Ofcom criteria to establish which services are no longer required. BT also reiterated that kiosks may be adopted under the 'adopt a kiosk' scheme, details of which may be found at: <https://business.bt.com/public-sector/street-hubs/adopt-a-kiosk-scheme/>

As Members are aware, two of the 18.no kiosks to be removed are traditional red kiosks. Officials previously wrote out to community groups in the vicinity of the two kiosks advising them to contact BT directly if they were interested in adopting the kiosks. BT has advised officials that the red kiosk at Armoy has since been adopted.

BT has also agreed to an extension of time (until 31st October 2024) for interested parties to contact them should they wish to adopt kiosk No.9 at Main Street, Glenariff. Officials have again written out to the Glenariff Community Groups previously contacted, advising of this extension of time, and advising them to contact BT directly should they wish to explore the adoption of the kiosk.

Officials also highlighted, to BT, Member concerns regarding the maintenance and upkeep of existing kiosks, generally in the Borough. In response BT has

advised that any concerns regarding kiosk maintenance should be directed to them on 0800 661 610 or by e-mail to: customer.serv.payphones@bt.com

Going forward

Following a meeting on 23rd September 2024 with Alderman Sharon McKillop and the Development Plan Manager, to discuss how the Council might support community groups to adopt the kiosks, the officer has scheduled a meeting with the Council's Community Development Manager and Funding Unit Manager to discuss possible assistance to those community groups wishing to adopt a kiosk.

Planning officials have also contacted the Council's Land and Property Section to establish if there are any BT kiosks located on council-owned land.

Recommendation

It is recommended that the Planning Committee note the contents of this update report.

Alderman S McKillop requested that the Development Plan Manager keeps in touch regarding updates.

RESOLVED – that Planning Committee notes the contents of this update report.

8.5 RTPI – Politicians in Planning Network Conference

Report, previously circulated, presented by the Head of Planning

Purpose of Report

The purpose of the report is to inform Elected Members of conferences and courses they may wish to attend.

RTPI Politicians in Planning Network

The RTPI's Politicians in Planning Network already includes over 600 elected representatives from around the UK who are involved in planning and planning decisions. This cross-party network was established in 2021 to help bridge the gap between planning professionals and elected politicians and support our shared ambitions for vibrant, healthy and sustainable places for communities to live, work and interact. The network helps Elected Members in local councils to hear about and share best practice, to access information and receive a regular newsletter on planning matters free of charge.

If you'd like to receive the next edition, please sign up using this link:
<https://www.rtpi.org.uk/find-your-rtpi/networks/politicians-in-planning-network-pipn/>

Recommendation

It is recommended that Planning Committee consider the Conference report.

RESOLVED – that Planning Committee notes the conference report.

8.6 First Quarterly Report of Planning Performance

Report, previously circulated, presented by the Head of Planning

Purpose of Report

The purpose of this report is to provide a quarterly update on Planning performance against the Planning Department Business Plan 2024/25.

Background

Schedule 4 of The Local Government (Performance Indicators and Standards) Order (Northern Ireland) 2015 sets out the statutory performance targets for the Planning Department for major development applications, local development applications and enforcement cases. The Planning Department Business Plan 2024-25 sets out the key performance indicators to progress towards improving Planning performance against these targets,

The statutory targets are:

- Major applications processed from date valid to decision or withdrawal within an average of 30 weeks
- Local applications processed from date valid to decision or withdrawal within an average of 15 weeks
- 70% of all enforcement cases progressed to target conclusion within 39 weeks of receipt of complaint.

The Northern Ireland Planning Statistics is an official statistics publication issued by Analysis, Statistics & Research Team within Department for Infrastructure. It provides the official statistics for each Council on each of the statutory targets and is published quarterly and on an annual basis. The First Quarter 2024/25 Statistical Bulletin was published on 03 October 2024 providing planning statistics for this period.

Details

Website link 1 <https://www.infrastructure-ni.gov.uk/publications/northern-ireland-planning-statistics-april-june-2024> provides the link to the published bulletin.

Business Plan Objective 1: Improve performance in relation to the processing of planning applications and enforcement cases

Table 1 below (circulated) provides a summary of performance in relation to the statutory targets for major development applications and local development applications for the first quarter of 2024-25 business year and provides a

comparison of performance against all 11 Councils and against Business Plan KPIs.

In the Q1, Causeway Coast and Glens Borough Council issued 6 major planning applications (including erection of 126 dwellings (47no. social and affordable) an extension to a light industrial unit, and a new fabrication, assembly and R&D facility) resulting in an average processing time of 74.3 weeks, not meeting the statutory target or Business Plan target during this period. However, this is 54.2 weeks faster when compared with performance over the same period in 23/24 and 4 more when compared to the same period last year. In addition, we received 3 major planning applications (modifications to Portstewart Golf Course, variation of a condition for retailing at Riverside, and extension to existing sports clubhouse); 1 more than the same period last year.

Over the same period 259 local applications were received, an increase of 9.3% on the same period last year. Over Q1, 203 local category applications were decided and 11 local applications withdrawn. Although not meeting the statutory target, the Business Plan target of 28 weeks was met and average processing times were 2.4 weeks faster when compared to the same period last year.

There was a total of 276 applications in the system over 12 months at end of Q1, an increase of 5 applications compared to the beginning of this business year, thereby not meeting the Business Plan target. This equates to 30% of the total number of live applications and is the 7th highest percentage of live applications out of the 11 Councils. Work is ongoing on these applications in order to reduce the number of over 12 month applications in Q2.

Enforcement

Table 2 below (circulated) shows statistics in relation to enforcement for Q1 of the 2024/25 business year. Progress has been made in reducing the number of live cases, however this has impacted on performance. The statutory target for bringing to conclusion enforcement cases of 70% within 39 weeks has not been met over this period. However, the Business Plan target of 55% has been achieved.

Of the cases closed, 26.3% were remedied/resolved, 19.7% had planning permission granted; 31.6% were closed as not expedient; and 22.4% had no breach identified.

Implement a new Pre-Application Discussion process – Timescale Q2 –

The new Pre-Application Discussions procedures were agreed at Planning Committee on 22 May 2024 with implementation date of 01 September 2024. This Business Plan KPI is on target to be met.

Implement a new Validation Checklist process – Timescale Q2 -

The new Validation Checklist process was agreed at Planning Committee meeting held on 22 May 2024 with implementation date of 01 September 2024. This Business Plan KPI is on target to be met.

Implement Standing Advice from NI Water – Timescale Q3 agree and Q4 to implement

NI Water advised that the Standing Advice is due to be piloted in this Council Area in Autumn – on target to be met.

Develop an action plan to manage and reduce the number of over 12 month applications in the system – Timescale Q2

The over 12 month action plan has been drafted and this KPI is on target to be met.

Reduce the number of over 12month and over 24month applications in the system by 10% - Timescale Q4

At end of Q1 this target was not being met with the number of over 12month applications increasing. However, work is in progress to reduce the number by end of Q4 in accordance with timeframe set out in the KPI.

Business Plan Objective 2: preparation of Council's draft Plan Strategy

Completion of research to inform LDP preparation in line with published timetable – Timescale Q3

Although the tender exercise for the independent research was unsuccessful, work is ongoing to identify alternative provision of evidence to inform the LDP process – Timescale Q3 – on target to be met.

Tree Preservation Order interactive map viewer operational and accessible by the public – Timescale Q3

The TPO interactive map has been developed and supporting information is in the process of being linked – on target to be met.

Business Plan Objective 3: to manage finance, staff, information and other resources effectively and efficiently within corporate governance framework

Review Planning Fraud Risk Self Assessment Checklist – Timescale Q2

The review of the Planning Fraud Risk Self Assessment Checklist is on target to be met.

Review outstanding Audit/Ombudsman recommendations and allocate timeframe for implementation – Timescale Q3

The review of outstanding Audit/Ombudsman recommendations has commenced and timeframe for implementation will be finalised by end of Q3 – on target to be met.

Recommendations from outstanding Audit/Ombudsman recommendations implemented – Timescale Q4

On finalisation of timeframe for implementation of outstanding Audit/Ombudsman recommendations will be implemented in accordance with the timeframes set out – on target to be met.

Number of cases where Ombudsman determines maladministration is less than 0.4% of all decisions made – Timescale Q4

At end of Q1 there were no cases during this period where the Ombudsman determined maladministration – on target to be met.

Long term vacant posts filled – Timescale Q2

Pre-employment procedures ongoing for Planning Assistant grades; all other posts filled – on target to be met.

Reserve list held for future vacancies for next 12 months

Reserve list held for all grades except Planning assistant. Further recruitment campaign to be commenced – unlikely to be met.

Recommendation

It is recommended that the Planning Committee note the Planning Departments Quarterly Report.

The Chair noted that good progress is being made.

In response to questions, the Head of Planning advised the vacant posts are permanent posts within the staffing structure for the Planning Department.

RESOLVED – that Planning Committee note the Planning Departments Quarterly Report.

8.7 Finance Report – Period 1-5 update

Report, previously circulated, presented by the Head of Planning

Purpose

This Report is to provide Members with an update on the financial position of the Planning Department for the Period 1-5 of 2024/25 business year.

Details

Planning is showing a variance of just over £26k favourable position at end of Period 5 based on draft Management Accounts.

The favourable position at the end of Period 5 is due to favourable position in relation to wages and salaries expenditure of over £102k whilst pre-employment procedures continue to fill vacant posts. This favourable position in relation to wages and salaries is reduced by a deficit in income of over £27k. This is a reduction in income of over £117K when compared to the same period last year. Although the number of planning applications received over this period has increased when compared to the same period last year, they are of a lesser fee category resulting in a decreased income when compared to the same period last year.

There are no other areas of concern at this time in relation to other expenditure codes.

Recommendation

It is recommended that the Planning Committee considers the content of this report for the Period 1-5 of 2024/25 financial year.

RESOLVED – that Planning Committee notes the content of this report for the Period 1-5 of 2024/25 financial year.

MOTION TO PROCEED ‘IN COMMITTEE’

Proposed by Councillor McMullan

Seconded by Councillor Kennedy and

AGREED – that Planning Committee move ‘*In Committee*’.

* **Press and Public were disconnected from the meeting at 4.05pm**

The information contained in the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

9. Confidential Items:

9.1 Update on Legal Issues

None.

9.2 Antrim Arms Hotel

Council Solicitor, Corporate, Planning and Regulatory, provided a verbal update regarding the Antrim Arms in Ballycastle. Council Solicitor advised Committee of the progress made to date and the steps being taken to move forward.

In response to questions, the Council Solicitor confirmed that Council can intervene to complete urgent work if necessary but Council need to follow procedure which Council is doing.

In response to questions, the Head of Planning provided further details of the process, if Council were to be involved and reiterated that Council are following procedure.

- * **Alderman Scott left the meeting at 4.21pm.**

MOTION TO PROCEED '*IN PUBLIC*'

Proposed by Councillor McMullan
Seconded by Councillor Kennedy and

AGREED – that Planning Committee move '*In Public*'.

10. Any Other Relevant Business in Accordance with Standing Order 12 (O))

There were no items of Any Other Relevant Business.

This being all the business the meeting closed at 4.24pm.

Chair