



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE
HELD IN MOSSLEY MILL ON MONDAY 22 APRIL 2024 AT 6.00 PM**

In the Chair : Councillor R Foster

Committee Members Present : Aldermen – T Campbell, M Magill and J Smyth
Councillors – S Cosgrove, H Cushinan, S Flanagan, R Kinnear, AM Logue and B Webb

Public Speakers : David Donaldson In Support/Agent (Item 3.1)
Craig McDowell In Support/Applicant (Item 3.3)
David McGorman In Support/Agent (Item 3.3)
Nelson McCausland In Objection (Item 3.5)
John Smylie In Support/Agent (Item 3.5)

Officers Present : Director of Economic Development and Planning - M McAlister
Deputy Director of Planning & Building Control – S Mossman
Borough Lawyer & Head of Legal Services – P Casey
Head of Planning Development Management – B Diamond
Senior Planning Officer – J McKendry
Senior Planning Officer – A Wilson
ICT Change Officer – A Cole
Member Services Officer – C McIntyre

CHAIRPERSON'S REMARKS

The Chairperson welcomed Committee Members to the April Planning Committee. The Chairperson reminded all present of the protocol for speaking, timeframes accorded and of the audio recording procedures.

Members were advised by the Chairperson that the Site Visit report and an updated speakers' list had been circulated to Members in advance of the meeting, with hard copies being made available in the Chamber. Members were also advised that Item 3.6 had been withdrawn by the Agent.

The Chairperson extended deep condolences to the family and friends of an esteemed colleague Debbie Rogers who had recently passed away.

The Borough Lawyer and Head of Legal Services reminded Members about a number of issues in relation to their role as Members of the Planning Committee and their obligations under the Code of Conduct.

1 APOLOGIES

Councillor J Archibald-Brown
Councillor A Bennington

2 DECLARATIONS OF INTEREST

None

PART ONE PLANNING APPLICATIONS

Alderman Campbell indicated that he would not take part in consideration of the Addendum Planning Report at Item 3.1 as he had not been in attendance when this had been originally discussed at a previous meeting.

ITEM 3.1 APPLICATION NO: LA03/2022/1047/F

PROPOSAL:	Proposed erection of 7 no. apartments to replace former dwelling and workshop, with associated parking, access and landscaping
SITE/LOCATION:	9 Nursery Park, Muckamore, Antrim, BT41 1QR
APPLICANT:	Orsson Homes Ltd

Ashleigh Wilson, Senior Planning Officer, introduced the Addendum Planning Report to the Committee and made a recommendation to grant planning permission.

The undernoted public speaker addressed the Committee and responded to enquiries from Members as requested –

David Donaldson

In Support/Agent

Proposed by Councillor Webb
Seconded by Councillor Flanagan that planning permission be granted.

On the proposal being put to the meeting 7 Members voted in favour, 2 against and 0 abstentions, and it was agreed

that planning permission be granted for the application subject to the Conditions set out in the Planning Report.

ACTION BY: Sharon Mossman, Deputy Director of Planning & Building Control

ITEM 3.2 APPLICATION NO: LA03/2023/0051/F

PROPOSAL:	Proposed 250kW wind turbine (30m to hub height, 29m rotor diameter), equipment cabin & associated ancillary works.
SITE/LOCATION:	450m East/Northeast of No. 70 Lylehill Road, Templepatrick, BT39 0HL
APPLICANT:	David and James Lewis

Ashleigh Wilson, Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse planning permission.

There were no public speakers to address this item.

Proposed by Councillor Cosgrove
Seconded by Alderman Campbell that planning permission be refused.

On the proposal being put to the meeting 10 Members voted in favour, 0 against and 0 abstentions, and it was unanimously agreed

that planning permission be refused for the following reasons:

- 1. The proposed development is contrary to the provisions of the SPPS and criteria a, c, v and vi of Policy RE 1 'Renewable Energy Development' of PPS 18 'Renewable Energy' in that the proposal fails to demonstrate that the development will not cause unacceptable adverse impacts on:**
 - the amenity of any sensitive receptors (including future occupants of committed developments) arising from shadow flicker;
 - biodiversity and built heritage interests; and
 - aviation safety.
- 2. The proposal is contrary to the provisions of the SPPS and Policy NH 2 'Species Protected by Law' of Planning Policy Statement 2: Natural Heritage, in that the development would, if permitted, likely harm a European species.**
- 3. The proposal is contrary to the provisions of the SPPS and Policy NH 5 'Habitats, Species or Features of Natural Heritage Importance' of Planning Policy Statement 2: Natural Heritage, in that the development would, if permitted, have an unacceptable adverse impact on other natural heritage features worthy of**

protection, key site for bats/namely Lyle's Hill mine which is a candidate bat swarming site.

4. The proposal is contrary to the provisions of the SPPS and Policy BH 1 'The Preservation of Archaeological Remains of Regional Importance and their Settings' of Planning Policy Statement 6: Planning Archaeology and the Built Heritage; in that, it would result in an adverse impact upon the integrity of the setting of Lyles Hill scheduled monuments, hilltop enclosure (ANT 056:005) and round cairn (ANT 056:006).

ACTION BY: Sharon Mossman, Deputy Director of Planning & Building Control

ITEM 3.3 APPLICATION NO: LA03/2023/0687/F

PROPOSAL:	Retention of part use of building as an indoor dog sitting, training and play area with ancillary outdoor enclosure.
SITE/LOCATION:	Building 8m south of 40 Kilgavanagh Road and lands 35m southeast of 40 Kilgavanagh Road, Antrim, BT41 2LJ
APPLICANT:	Alan Adair

Ashleigh Wilson, Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse planning permission.

The undernoted public speakers addressed the Committee and responded to enquiries from Members as requested –

Craig McDowell	In Support/Applicant
David McGorman	In Support/Agent

Proposed by Councillor Webb

Seconded by Councillor Flanagan that planning permission be granted subject to conditions including a restriction to opening hours from 9am to 5pm, a maximum of 14 dogs on site at anytime, no overnight kennelling and any access conditions as proposed by DfI Roads, the exact wording of which was delegated to Officers.

On the proposal being put to the meeting 10 Members voted in favour, 0 against and 0 abstentions:

In favour : Aldermen – Campbell, Magill and Smyth
Councillors – Cosgrove, Cushinan, Flanagan, Foster, Kinnear, Logue and Webb

It was unanimously agreed that planning permission be granted subject to conditions including a restriction to opening hours from 9am to 5pm, a maximum of 14 dogs on site at any time, no overnight kennelling and any access conditions as proposed by DfI Roads, the exact wording of which was delegated to Officers.

The reason for the decision contrary to the Officer's recommendation was that the

application was considered an exception due to the unique nature of the business and the site's isolated rural location which had provision for both internal and external play areas required by the business.

ACTION BY: Sharon Mossman, Deputy Director of Planning & Building Control

ITEM 3.4 APPLICATION NO: LA03/2023/0761/F

PROPOSAL:	Change of use from former bank premises to car wash (retrospective)
SITE/LOCATION:	39 Mallusk Road, Newtownabbey, BT36 4PP
APPLICANT:	Arber Isaj

Ashleigh Wilson, Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse retrospective planning permission.

There were no public speakers to address this item.

Proposed by Alderman Campbell
Seconded by Councillor Cosgrove that retrospective planning permission be refused.

On the proposal being put to the meeting 10 Members voted in favour, 0 against and abstentions, and it was unanimously agreed

that retrospective planning permission be refused for the following reasons:

- 1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policies PED 7 and PED 9 of Planning Policy Statement 4: Planning and Economic Development, in that the scale, nature and form is not considered appropriate to the location.**
- 2. The proposal is contrary to the Strategic Planning Policy Statement and Policy PED 9 of Planning Policy Statement 4 and would, if permitted, cause harm to an interest of acknowledged importance, namely wastewater disposal in that it has not been demonstrated there is a satisfactory means of dealing with wastewater associated with the development.**

ACTION BY: Sharon Mossman, Deputy Director of Planning & Building Control

ITEM 3.5 APPLICATION NO: LA03/2022/0929/F

PROPOSAL: Erection of 2no 1.5 storey detached houses, with associated hard and soft landscaping, use of existing vehicular entrance off Ballycraigy Road to serve the new detached dwellings and no. 3 Ballycraigy Road

SITE/LOCATION: 4 Ballycraigy Road, Glengormley, Newtownabbey, BT36 5ZZ

APPLICANT: Noel Reid

Johanne McKendry, Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to grant planning permission.

The undernoted public speakers addressed the Committee and responded to enquiries from Members as requested –

Nelson McCausland	In Objection
John Smylie	In Support/Agent

Proposed by Alderman Campbell
Seconded by Councillor Cosgrove that planning permission be granted.

On the proposal being put to the meeting 10 Members voted in favour, 0 against and 0 abstentions, and it was unanimously agreed

that planning permission be granted for the application subject to the Conditions set out in the Planning Report and additional conditions to include the retention of existing mature vegetation along the laneway and there being no permitted pedestrian or vehicular access through the Cedar Hill development the exact wording of which was delegated to Officers.

ACTION BY: Sharon Mossman, Deputy Director of Planning & Building Control

ITEM 3.6 APPLICATION NO: LA03/2024/0059/O

PROPOSAL: Off-site replacement dwelling and garage. Original dwelling to remain as outhouse

SITE/LOCATION: 60m North of 73 Carlane Road, Toomebridge

APPLICANT: Bridin Kearney

The Chairperson advised that this application had been withdrawn by the Agent.

ACTION BY: Sharon Mossman, Deputy Director of Planning & Building Control

ITEM 3.7 APPLICATION NO: LA03/2023/0892/F

PROPOSAL: Alteration and Extension to Dwelling
SITE/LOCATION: 13 Harmin Avenue, Glengormley, BT36 7UW
APPLICANT: Choice Housing

Johanne McKendry, Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse planning permission.

There were no public speakers to address this item.

Proposed by Councillor Flanagan
Seconded by Councillor Webb that consideration of the planning application be deferred for a period of 4 weeks to allow time for the applicant to submit an amended proposal and that Officers write to the applicant and agent to express the concerns of the Planning Committee in terms of engagement, with both the tenant and Planning Officers. In the event of an unsatisfactory response, it was agreed that delegated powers be granted to Planning Officers to issue a refusal for the application along with appropriate refusal reasons.

On the proposal being put to the meeting 10 Members voted in favour, 0 against and 0 abstentions.

It was unanimously agreed that consideration of the planning application be deferred for a period of 4 weeks to allow time for the applicant to submit an amended proposal and that Officers write to the applicant and agent to express the concerns of the Planning Committee in terms of engagement, with both the tenant and with Officers. In the event of an unsatisfactory response, it was agreed that delegated powers be granted to Planning Officers to issue a refusal for the application along with appropriate refusal reasons.

ACTION BY: Sharon Mossman, Deputy Director of Planning & Building Control

ITEM 3.8 APPLICATION NO: LA03/2024/0063/O

PROPOSAL: Erection of single storey dwelling
SITE/LOCATION: 100m NE of 31 Speerstown Road, Ballymena, BT42 3DD
APPLICANT: Derek Carmichael

Johanne McKendry, Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse outline planning permission.

There were no public speakers to address this item.

Proposed by Alderman Campbell
Seconded by Alderman Magill that outline planning permission be refused.

On the proposal being put to the meeting 10 Members voted in favour, 0 against and 0 abstentions, and it was unanimously agreed

that outline planning permission be refused for the following reasons:

- 1. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.**
- 2. The proposal is contrary to the provisions contained within the Strategic Planning Policy Statement and Policies NH2 and NH5 of PPS 2 in that it has not been demonstrated that the proposal will not cause harm to any protected species or result in an unacceptable adverse impact on, or damage to, habitats, species or features.**

ACTION BY: Sharon Mossman, Deputy Director of Planning & Building Control

ITEM 3.9 APPLICATION NO: LA03/2023/0326/O

PROPOSAL:	Site for Dwelling and Double Garage
SITE/LOCATION:	Lands 250m SE of 275 Ballymena Road, Tardree, Antrim
APPLICANT:	Audrey Currie

Johanne McKendry, Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to grant outline planning permission.

There were no public speakers to address this item.

Proposed by Councillor Flanagan
Seconded by Alderman Campbell that consideration of the planning application be deferred for a period of 1 month to allow time for Officers to provide a presentation on the interpretation of policy for consideration.

On the proposal being put to the meeting 10 Members voted in favour, 0 against and 0 abstentions.

It was unanimously agreed that consideration of the planning application be deferred for a period of 1 month to allow time for Officers to provide a presentation on the interpretation of policy for consideration.

ACTION BY: Sharon Mossman, Deputy Director of Planning & Building Control

PART TWO OTHER PLANNING MATTERS

ITEM 3.10

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS MARCH 2024

1. Purpose

The purpose of this report was for Members to note the planning applications decided under delegated powers and decisions issued by the PAC in March 2024.

2. Delegated Decisions of Council

A list of planning decisions issued by Officers during March 2024 under delegated powers together with information relating to planning appeals was circulated for Members' information.

3. Planning Appeal Commission Decisions

One (1) appeal was dismissed during March 2024 by the Planning Appeals Commission (PAC).

Planning application:	LA03/2022/0188/CA and EN/2022/0188/1
PAC reference:	2023/E0017
Proposed Development:	Alleged unauthorised sale of vehicles (new extended site)
Location:	Lands at 50 Moira Road, Crumlin
Date of Appeal Submission:	22/06/2023
Date of Appeal Decision:	20/03/2024

A copy of the decision was circulated.

Proposed by Councillor Webb
Seconded Alderman Magill and unanimously agreed

that the report be noted.

ACTION BY: Sharon Mossman, Deputy Director of Planning and Building Control

ITEM 3.11

P/FP/LDP/53 LISBURN AND CASTLEREAGH CITY COUNCIL – LOCAL DEVELOPMENT PLAN, REVISED TIMETABLE

1. Purpose

The purpose of this report was to advise Members that the Council had responded to correspondence from Lisburn and Castlereagh City Council regarding the revision of its Local Development Plan Timetable.

2. Introduction/Background

Members were advised that on 15 March 2024, correspondence was received from Lisburn and Castlereagh City Council (LCCC) regarding its intention to publish, subject to the Department for Infrastructure agreement, a revised Timetable for its Local Development Plan.

3. Key Issues

The proposed LCCC Local Development Plan revised Timetable (May 2024) indicated publication of the Draft Local Policies Plan, with Sustainability Appraisal Report (incorporating SEA), between Q3 2025 – Q3 2026 (circulated).

Officers had responded to LCCC, noting the intention to revise the Local Development Plan Timetable and welcomed continued engagement as each Council progresses its respective Local Development Plan towards adoption.

4. Summary

A copy of the Council's response to Lisburn and Castlereagh City Council was circulated.

Proposed by Councillor Webb

Seconded Alderman Magill and unanimously agreed

that the report be noted.

ACTION BY: Simon Thompson, Local Development Plan and Enforcement Manager

ITEM 3.12

P/PLAN/1 NISRA PLANNING STATISTICS 2023/2024 – THIRD QUARTERLY BULLETIN FOR THE PERIOD OCTOBER TO DECEMBER 2023

1. Purpose

The purpose of this report was for Members to note the NISRA Planning Statistics 2023/2024 - Third Quarterly bulletin for the period October to December 2023.

2. Key Issues

The third quarterly provisional planning statistics for 2023/24 produced by the Analysis, Statistics and Research Branch of the Department for Infrastructure (DfI) (circulated), were released on 28 March 2024.

The figures showed that during the period from October to December 2023, the total number of planning applications received in Northern Ireland was 2,525, an increase of 6% on the previous quarter but down over 5% on the same period a year earlier. The total number of decisions issued during this period was 2,461, up by 10% over the quarter and up 5% from the same period a year earlier.

Over the quarter 6, Councils reported an increase in the number of applications received with the highest percentage increase in Mid and East Antrim (27.8%). Five Councils reported a decrease in the number of applications received with the greatest decrease in Newry, Mourne and Down (-11.4%). Over the quarter, 6 Councils reported an increase in the number of applications decided, with the highest percentage increase in Belfast (41.7%).

In relation to performance against statutory targets the Department for Infrastructure (DfI) figures showed that the Council was within the 30 week target time in the third quarter of 2023/24 for **Major** planning applications, with an average of **20.7 weeks**. This performance maintained last year's Major performance approval rate and **ranked first** amongst the 11 Councils. It also reflected well against the average processing time of 44.2 weeks across all Councils.

Over the quarter the number of local applications received in NI was 2,487; an increase of 5.7% on the previous quarter (2,352) and down by 5.2% on the same period a year earlier (2,623). Three of the 11 councils were within the 15 week target after the first nine months of 2023/24, with **Antrim and Newtownabbey (13.0 weeks) ranked second**, this performance maintained the progress achieved in last year's local performance. It also reflected well against the average processing time of 20.4 weeks across all Councils.

The number of enforcement cases opened in NI during the third quarter of 2023/24 was 636; down by 26.4% over the quarter (864) and very similar to the same period a year earlier. The number of enforcement cases concluded, and corresponding processing times (statutory target) was not presented in this report and would be published at a later date.

Proposed by Councillor Webb

Seconded Alderman Magill and unanimously agreed

that the report be noted.

ACTION BY: Sharon Mossman, Deputy Director of Planning and Building Control

PROPOSAL TO PROCEED 'IN CONFIDENCE'

Proposed by Councillor Flanagan
Seconded by Alderman Smyth and agreed

that the following Committee business be taken In Confidence.

The Chairperson advised that the livestream and audio recording would now cease.

PART TWO OTHER PLANNING MATTERS – IN CONFIDENCE

ITEM 3.13

F/FP/LDP/1 LOCAL DEVELOPMENT PLAN – STEERING GROUP MINUTES - IN CONFIDENCE

1. Purpose

The purpose of this report was to provide a bi-monthly update to Members on the progress of the Council's Local Development Plan Steering Group.

2. Key Issues

Members were advised that the most recent meeting of the Local Development Plan Steering Group took place on 12 April 2024; a copy of the minutes were circulated.

Proposed by Councillor Webb
Seconded Councillor Cosgrove and unanimously agreed

that the report be noted.

ACTION BY: Sharon Mossman, Deputy Director of Planning and Building Control

PART ONE DECISIONS ON ENFORCEMENT CASES – IN CONFIDENCE

ITEM 3.14

P/FP/LDP/1/34 ENFORCEMENT PERFORMANCE QUARTERLY REPORTING Q1, Q2 & Q3 2023/2024 - IN CONFIDENCE

1. Purpose

The purpose of this report was to update Members on the performance of the Planning Enforcement Section for the following periods in 2023/2024: Q1 (April-June), Q2 (July-September), and Q3 (October-December).

2. Introduction/Background

The non-statutory performance reporting and statistics for the Council's Planning Enforcement Section for the periods Q1, Q2 and Q3 were circulated for Members' information.

Proposed by Councillor Webb
Seconded Councillor Cosgrove and unanimously agreed

that the report be noted.

ACTION BY: Steven McQuillan, Senior Planning Officer (Enforcement)

ITEM 3.15 IN CONFIDENCE ENFORCEMENT CASE: [REDACTED]

Sharon Mossman, Deputy Director of Planning and Building Control, introduced the Enforcement Report to the Committee and made a recommendation that enforcement action be progressed in this case as outlined in the report with the detail of this delegated to appointed Officers.

Proposed by Alderman Campbell
Seconded by Councillor Flanagan and unanimously agreed

that enforcement action to regularise the current breach of planning control and any future breach at the site in question or by the same owner/operator on lands adjacent to or in the vicinity of the site, be progressed in this case as outlined in the report with the detail of this delegated to appointed Officers.

The Deputy Director of Planning and Building Control confirmed that Officers would await [REDACTED]

ACTION BY: Steven McQuillan, Senior Planning Officer (Enforcement)

PROPOSAL TO MOVE OUT OF 'IN CONFIDENCE'

Proposed by Alderman Campbell
Seconded by Alderman Smyth and agreed

that any remaining Committee business be conducted in Open Session.

The Chairperson advised that the audio recording would recommence.

There being no further Committee business the Chairperson thanked Members, for their attendance and the meeting concluded at 7.46pm.

MAYOR

Council Minutes have been redacted in accordance with the Freedom of Information Act 2000, the Data Protection Act 2018, the General Data Protection Regulation, and legal advice.