



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE  
HELD IN MOSSLEY MILL ON MONDAY 23 OCTOBER 2017 AT 6.00 PM**

- In the Chair** : Councillor P Brett
- Committee Members Present** : Aldermen – F Agnew, T Campbell, J Smyth and R Swann  
Councillors – J Bingham, H Cushinan, B Duffin, T Hogg, D Hollis, M Magill and W Webb
- Non-Committee Members Present** : Alderman M Cosgrove  
Councillors – J Blair, L Clarke, A Logue, J Montgomery, S McCarthy, N McClelland, V McWilliam, M Rea and S Ross
- In Attendance** : Mr David Ford, MLA - Public Speaker  
Mr Gavin McGill - Public Speaker  
Mr Jason Kennedy- Public Speaker  
Mr Brian Gibson – Public Speaker  
Mr Trevor Clarke, MLA – Public Speaker  
Mr David McMeekan – Public Speaker  
Mr Conor Hughes – Public Speaker  
Mr Hadleigh Jess – Public Speaker  
Mr Ryan McBirney – Public Speaker  
Mr Aidan Pender – Public Speaker  
Mr Peter Caldwell – Public Speaker  
Mr Gibson – Public Speaker  
Mr Gary Millar – Public Speaker  
Mr Trevor McBurney – Public Speaker  
Mr David Donaldson – Public Speaker  
Mr Victor Robinson – Public Speaker  
Mr Johnny Clyde – Public Speaker  
Mr Marcus Bingham – Public Speaker
- Officers Present** : Director of Community Planning & Regeneration -  
Ms M McAlister  
Head of Planning - Mr J Linden  
Head of Finance & Governance – Mrs L Johnston  
Principal Planning Officer - Mr B Diamond  
Senior Planning Officer – Ms J Winters  
Senior Planning Officer – Ms J McKendry

Senior Planning Officer – Mr K O'Connell  
Acting Senior Planning Officer – Mr M O'Reilly  
Borough Lawyer – Mr P Casey  
Paralegal – Ms D Nelson  
ICT Officer – Mr A Cole  
Member Services Officer - Mrs D Hynes

## **CHAIRPERSON'S REMARKS**

The Chairperson welcomed Committee Members to the monthly Planning Committee Meeting and sought a resolution to consider the In Confidence items.

### **1 APOLOGIES**

Chief Executive, Mrs J Dixon

### **2 DECLARATIONS OF INTEREST**

Item 3.7 – Councillor Magill  
Item 3.9 – Councillor Bingham

## **PROPOSAL TO PROCEED 'IN CONFIDENCE'**

Proposed by Councillor Bingham  
Seconded by Councillor Hollis and agreed

**that the following Committee business be taken In Confidence.**

The Chairperson advised that audio-recording would cease at this point.

## **ITEMS IN CONFIDENCE**

### **DECISIONS ON ENFORCEMENT CASES**

#### **ITEM 3.1 - ENFORCMENT CASE: LA03/2017/0041/CA**

---

Judith Winters, Senior Planning Officer, introduced the Enforcement Report to the Committee and made a recommendation that approval be granted to progress Enforcement action.

Proposed by Alderman Agnew  
Seconded by Councillor Duffin and

on the proposal being put to the meeting 11 Members voted in favour, 0 against and 0 abstentions and it was agreed as follows:

**that enforcement action be progressed in this case and the detail of this was delegated to appointed Officers**

*ACTION BY: John Linden*

*Councillor Cushinan entered the Chamber following the Planning Officer's report and was therefore unable to vote on item 3.1.*

## **PROPOSAL TO MOVE OUT OF 'IN CONFIDENCE'**

Proposed by Councillor Duffin  
Seconded by Councillor Bingham and agreed

**that any remaining Committee business be conducted in Open Session.**

At this point the Chairperson advised there would be a short interval, with the remainder of Committee business resuming at 6.30pm when the meeting would be open to the public and audio-recording would resume.

## **PART ONE DECISIONS ON PLANNING APPLICATIONS**

### **CHAIRPERSON'S REMARKS**

At this point the Chairperson welcomed everyone to the meeting and specifically welcomed Councillor Stephen McCarthy to his first meeting of Council and congratulated him on his appointment. He also reminded all present of the protocol for speaking and timeframes accorded.

The Chairperson advised Members that item 3.16 had been withdrawn and that there had been a number of changes to speaking rights which would be advised at each item.

### **1 APOLOGIES**

Chief Executive, Mrs J Dixon

### **2 DECLARATIONS OF INTEREST**

Item 3.7 - Councillor Magill  
Item 3.9 – Councillor Bingham

The Borough Lawyer 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.

### ITEM 3.2 APPLICATION NO: LA03/2015/0433/F

---

<b>PROPOSAL:</b>	Proposed new broiler units 2 no for up to 74,000 birds, new ancillary facilities, new concrete apron, meal and fuel silos improvements to existing access onto Doagh Road.
<b>SITE/LOCATION:</b>	Land approximately 390m NW of 65 Doagh Road, Kells
<b>APPLICANT:</b>	Mr M McMaster

---

Michael O'Reilly, Acting Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse planning permission.

The undernoted Elected Member and public speakers addressed the Committee and responded to enquiries from Members as requested -

- Councillor Rea
- Jason Kennedy
- David Ford, MLA
- Gavin McGill
- Brian Gibson
- David McMeekan – was available for questions
- Trevor Clarke, MLA

Proposed by Alderman Campbell  
Seconded by Councillor Webb and

on the proposal being put to the meeting 7 Members voted in favour, 4 against and 1 abstention and it was agreed as follows:

**that planning permission be refused for the following reasons:**

- 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 12 of PPS21 as the proposal is not clustered with other existing buildings on the farm and it has not been demonstrated that there are compelling biosecurity/health and safety reasons to justify the site selected or otherwise demonstrate the inappropriateness of other available sites within the agricultural holding.**
- 2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY 12, CTY 13 and CTY 14 of PPS21, Sustainable Development in the Countryside, as the site lacks long established natural boundaries that would provide a suitable degree of enclosure, and the proposal if permitted:**
  - (a) would result in development of an inappropriate scale and design for this locality that would not blend within the existing landform; and**
  - (b) would result in prominent development that fails to integrate with its surroundings.**

*ACTION BY: John Linden*

**ITEM 3.3 APPLICATION NO: LA03/2016/0278/F**

---

**PROPOSAL:** Proposed erection of 39 dwelling units (13No. detached, 22No. semi-detached, 4No. apartments), associated driveways, access, landscaping, incorporation of foul pumping station and all other associated works

**SITE/LOCATION:** Lands fronting Templepatrick Road adjacent to and north of 107 Templepatrick Road approximately 100m to the southwest of Dennison Industrial Estate Templepatrick Road Ballyclare BT39 9FD

**APPLICANT:** Orrson Homes Limited

---

Michael O'Reilly, Acting Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to grant planning permission.

The Chairperson advised Members that all public speakers had withdrawn and confirmed that there were no public speakers to address this item.

Proposed by Councillor Duffin  
Seconded by Councillor Hogg and

on the proposal being put to the meeting 11 Members voted in favour, 1 against and 0 abstentions as follows:

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

*ACTION BY: John Linden*

**ITEM 3.4 APPLICATION NO: LA03/2016/0704/F**

---

**PROPOSAL:** Construction of 13 dwellings with associated car parking and landscaping (mix consists of 13No. 3P2B Cat 1 accommodation).

**SITE/LOCATION:** Vacant land adjacent to Cunningham Way, Fennel Road and 60 Fountain Street, Antrim, BT41 1SY

**APPLICANT:** Apex Housing

---

Kieron O'Connell, Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse planning permission.

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

- Cllr J Montgomery
- Cllr N McClelland
- Trevor Clarke, MLA
- Conor Hughes

Proposed by Councillor Webb  
Seconded by Councillor Hogg and

on the proposal being put to the meeting 9 Members voted in favour, 3 against and 0 abstentions and it was agreed:

**that the application be deferred to provide an opportunity for the applicant to provide a revised scheme layout and design, to be submitted with a 4 week period, and that the application should be brought back to Committee in 2 months' time.**

*ACTION BY: John Linden*

*The Chairperson advised that item 3.12 would be brought forward to this point of the meeting.*

**ITEM 3.12 APPLICATION NO: LA03/2017/0260/O**

---

**PROPOSAL:** New dwelling and separate garage

**SITE/LOCATION:** Site to the rear of 139 Templepatrick Road and adjacent to 141 Templepatrick Road

**APPLICANT:** Mrs Linda King

---

Michael O'Reilly, Acting Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse outline planning permission.

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

- Cllr S Ross
- Cllr N McClelland
- David Donaldson
- Victor Robinson

Proposed by Councillor Webb  
Seconded by Councillor Hogg and

on the proposal being put to the meeting 11 Members voted in favour, 1 against and 0 abstentions and agreed as follows:

In Favour: Aldermen Agnew, Smyth and Swann  
Councillors Bingham, Brett, Cushinan, Duffin, Hogg, Hollis, Magill, and Webb  
Against: Aldermen Campbell  
Abstentions: None

**that planning permission be granted subject to the imposition of relevant standard conditions together with following specific conditions, the detail of which was delegated to Officers:**

- (a) a condition tying the occupation of the dwelling permitted to [REDACTED] and [REDACTED] immediate family;**
- (b) a condition requiring a detailed landscaping scheme; and**
- (c) a condition relating to the siting and orientation of the dwelling permitted to mitigate potential overlooking of the neighbouring property.**

**The reason for the decision contrary to Officer recommendation was that Members considered there were overriding compelling and site-specific reasons related to the personal circumstances of the proposed occupier that merited approval of a dwelling on the application site.**

*ACTION BY: John Linden*

---

**ITEM 3.5 APPLICATION NO: LA03/2016/0803/F**

---

**PROPOSAL:** The construction of 14 dwellings with associated car parking and landscaping. The mix consists of 6 No. 3P2B houses, 4no. 3P2B Cat1 apartments and 4 No. 2P1B apartments.

**SITE/LOCATION:** Lands at Neillsbrook Park (to the rear of 17 to 29 Portglenone Road), Randalstown, BT41 3BE

**APPLICANT:** Choice Housing

---

Kieron O'Connell, Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse planning permission.

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

- Cllr J Montgomery
- Cllr N McClelland
- Trevor Clarke, MLA
- Conor Hughes

Proposed by Alderman Campbell  
Seconded by Alderman Agnew and

on the proposal being put to the meeting 7 Members voted in favour, 4 against and 1 abstention and it was agreed as follows:

that planning permission be refused for the following reasons:

1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement (SPPS) and Policy QD1 'Quality in New Residential Development' of Planning Policy Statement 7 (PPS 7) in that the proposed development represents an overdevelopment of the site as:
  - a. it does not respect the surrounding context and is considered to be inappropriate to the character of the site in terms of layout, scale, massing and appearance of buildings, structures, landscaped and hard surfaced areas;
  - b. it will have a detrimental impact on the character of this area in that the design and layout does not draw on the best of local traditions in terms of its form, materials and detailing;
  - c. adequate and appropriate provision of communal amenity space for the apartment development has not been provided as an integral part of the development;
  - d. it has not been demonstrated that the existing landscaping can be retained along the site boundaries in order to soften the visual impact of the development and assist in its integration with the surrounding area; and,
  - e. it will have an unacceptable adverse effect on the amenity of existing residents by way of dominance; and
  - f. the design and layout will have an adverse impact on the amenity of the proposed occupants of Apartment Block B.

*ACTION BY: John Linden*

*Councillors Magill and Webb left the Chamber.*

**ITEM 3.6 APPLICATION NO: LA03/2015/0687/F**

---

**PROPOSAL:** Alteration, conversion, extension and change of use to existing building to provide 7 No. apartments, car-parking and amenity space.

**SITE/LOCATION:** 269-273 Antrim Road, Newtownabbey

**APPLICANT:** Mrs K G Cartmill

---



Kieran O'Connell, Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse planning permission.

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

- Hadleigh Jess

Proposed by Alderman Campbell  
Seconded by Councillor Hogg and

on the proposal being put to the meeting 10 Members voted in favour, 0 against and 0 abstentions and agreed as follows:

**that planning permission be refused for the following reasons**

- 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement (SPPS) and Policies QD1 of Planning Policy Statement 7 'Quality Residential Environments' in that, it has not been demonstrated that the proposed development can achieve a quality and sustainable residential environment.**
- 2. The proposal is contrary to criterion (c) of Policy QD1 of Planning Policy Statement 7: Quality Residential Environments in that it would, if permitted, result in overdevelopment of the site resulting in inadequate provision of private open space.**
- 3. The proposal is contrary to criterion (h) of Policy QD1 of Planning Policy Statement 7: Quality Residential Environments in that it would, if permitted, result in an unacceptable adverse effect on both existing and proposed properties in terms of overlooking and loss of light.**

*ACTION BY: John Linden*

*Councillors Magill and Webb had returned to the Chamber following the Planning Officer's report and were therefore unable to vote on item 3.6.*

*Councillor Magill withdrew from the meeting having declared an interest in the next item. 3.7.*

#### **ITEM 3.7 APPLICATION NO: LA03/2016/0719/F**

---

<b>PROPOSAL:</b>	Change of use of Apart Hotel (comprised of 36 no. 2 bed self catering apartments) to 36 no. 2 bed permanent residential apartments, including additional car parking and construction of footway to link in Paradise Walk
<b>SITE/LOCATION:</b>	Castlewood Apartments, Paradise Walk, Castle Upton, Templepatrick
<b>APPLICANT:</b>	SVM Properties

---

Barry Diamond, Principal Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse planning permission.

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

- Cllr N McClelland
- Cllr M Magill
- Cllr M Rea
- Cllr A Logue
- Ald M Cosgrove
- David Ford, MLA
- Ryan McBurney
- Aidan Pender – was available for questions
- Peter Caldwell – was available for questions

Proposed by Councillor Webb  
Seconded by Alderman Smyth

that planning permission be granted with a condition restricting occupation of the units to over 55's.

on the proposal being put to the meeting 2 Members voted in favour, 9 against and 0 abstentions, the proposal was declared fallen.

In Favour: Alderman Smyth  
Councillor Webb  
Against: Alderman Agnew, Campbell and Swann  
Councillor Bingham, Brett, Cushinan, Duffin, Hogg and Hollis,  
Abstentions: None

Proposed by Councillor Hogg  
Seconded by Councillor Hollis

on the proposal being put to the meeting 9 Members voted in favour, 2 against and 0 abstentions and agreed as follows:

In Favour: Aldermen Agnew and Swann  
Councillor Bingham, Brett, Cushinan, Duffin, Hogg, Hollis and Webb  
Against: Alderman Smyth  
Councillor Campbell  
Abstentions: None

**that planning permission be granted subject to the imposition of relevant standard conditions.**

**The following reasons for the decision contrary to Officer recommendation were provided:**

- (a) Having given consideration to the economic unviability of the current business, the inevitable dereliction of the site upon the cessation of the business on the 30 November 2017 and the resultant impact upon the adjacent hotel and unique circumstances provided on behalf of the applicant, Members considered that approval was justified.**

(b) In accordance with Policy CTY 1 of Planning Policy Statement 21 Members considered there were overriding reasons why the development was essential and given it relates to existing buildings accepted that it could not be located in a settlement or otherwise relocated; and

(c) The buildings in question are located in close proximity to the settlement of Templepatrick and are linked to it by a footpath.

*ACTION BY: John Linden*

*Councillor Magill returned to the meeting.*

**ITEM 3.8 APPLICATION NO: LA03/2017/0683/O**

---

**PROPOSAL:** Site for infill dwelling

**SITE/LOCATION:** 40m west of 69 Parkgate Road, Kells

**APPLICANT:** John McClure

---

Barry Diamond, Principal 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 Alderman Smyth

Seconded by Councillor Hogg and unanimously agreed

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

*ACTION BY: John Linden*

*Councillor Bingham withdrew from the meeting having declared an interest in the next item. 3.9.*

**ITEM 3.9 APPLICATION NO: LA03/2016/1073/F**

---

**PROPOSAL:** Retrospective application for installation of external stainless steel flue from boiler house to serve new boiler.

**SITE/LOCATION:** Ballyclare High School, 31 Rashee Road, Ballyclare, BT39 9HJ

**APPLICANT:** Education Authority NI

---

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

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

- Mr Gibson

Proposed by Councillor Duffin  
Seconded by Alderman Campbell and

on the proposal being put to the meeting 11 Members voted in favour, 0 against and 0 abstentions and agreed as follows:

**that planning permission be refused for the following reason:**

- 1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement as, the development would, if permitted, cause an unacceptable adverse impact to the residential amenity of neighbouring dwellings due to the level of noise from the development.**

*ACTION BY: John Linden*

*Councillor Bingham returned to the meeting.*

*Councillor Hogg left the Chamber.*

**ITEM 3.10 APPLICATION NO: LA03/2016/1047/RM**

---

<b>PROPOSAL:</b>	Phase G2: Residential development of 81no. dwellings (56 semi-detached, 16 detached and 9 town-houses) with associated access and landscaping. Access from Shorelands Drive and Hartley Hall Crescent.
<b>SITE/LOCATION:</b>	Land approximately 50m north-west of Nos. 28, 25, 27, 29, 31 + 33 Hartley Hall Crescent and the south-east of No. 5 Neill's Lane, Greenisland
<b>APPLICANT:</b>	Hartley Hall Developments

---

Johanne McKendry, Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to approve reserved matters.

There were no public speakers to address this item.

Proposed by Councillor Duffin  
Seconded by Alderman Campbell and

on the proposal being put to the meeting 11 Members voted in favour, 0 against and 0 abstentions and agreed as follows:

**that reserved matters be granted for the application subject to the conditions set out in the Planning Report.**

*ACTION BY: John Linden*

### **ITEM 3.11 APPLICATION NO: LA03/2017/0431/F**

---

**PROPOSAL:** Retention of hydro-electric scheme (alterations for the relocation of intake chamber with addition of sluice gate and adjoining walls to previously approved application T/2014/0351/F)

**SITE/LOCATION:** 33m NNW of 55 Clady Road, Dunadry

**APPLICANT:** Leonard Wilson

---

Johanne McKendry, 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 -

- Gary Millar
- Trevor McBurney

Proposed by Alderman Campbell  
Seconded by Councillor Hollis and

on the proposal being put to the meeting 10 Members voted in favour, 0 against and 1 abstention and agreed as follows:

**that outline planning permission be refused for the following reason:**

- 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy FLD1 of Planning Policy Statement 15, Planning and Flood Risk, in that it has not been demonstrated that the proposal is of overriding regional importance or that it should otherwise be treated as an exception to Policy FLD 1.**

*ACTION BY: John Linden*

*Councillor Hogg had returned to the Chamber following the Planning Officer's report and was therefore unable to vote on items 3.10 and 3.11.*

*Councillor Hollis left at this point of the meeting.*

---

**ITEM 3.13 APPLICATION NO: LA03/2017/0008/F**

---

**PROPOSAL:** Proposed farm dwelling and garage

**SITE/LOCATION:** Approx. 47m NE of 105 Hillhead Road, Ballyclare, BT39 9LN

**APPLICANT:** Harold Montgomery Esq.

---

Michael O'Reilly, Acting 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 -

- Trevor Clarke, MLA
- David Donaldson

Proposed by Alderman Campbell  
Seconded by Councillor Hogg and

on the proposal being put to the meeting 6 Members voted in favour, 2 against and 3 abstentions and agreed as follows:

**that outline planning permission be refused for the following reasons:**

- 1. The proposal is contrary to the provisions of Policy COU2 of the draft Belfast Metropolitan Area Plan 2015 as it has not been demonstrated there is a satisfactory site specific need for a dwelling at this location and would, if approved, fail to maintain the visual separation between the settlements of Ballyclare and Hillhead.**
- 2. The proposal is contrary to the provisions of Policy ENV3 of the draft Belfast Metropolitan Area Plan 2015 as it would have an unacceptable visual amenity impact on the environmental quality and character of Local Landscape Policy Area HD007 'Hillhead House, Hillhead Road' as, if approved, it would result in an exposed and conspicuous development that would fail to protect the character and local landscape setting of Hillhead.**

3. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy CTY 15 of PPS21 as, if approved, would create urban sprawl that would mar the distinction between Hillhead and the countryside.
4. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy CTY 13 of PPS21 as, if approved, it would result in a prominent feature in the landscape, would fail to blend with the landform, is unable to provide a suitable degree of enclosure for the building to integrate, the design of the building is inappropriate for the site and its locality and ancillary works do not integrate with their surroundings.
5. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy CTY 14 of PPS21 as, if approved, it would be unduly prominent in the landscape, would result in a suburban style build-up of development when viewed with existing buildings and the impact of ancillary works would damage rural character.

*ACTION BY: John Linden*

*Councillor Brett and Magill left the Chamber.*

**ITEM 3.14 APPLICATION NO: LA03/2017/0311/F**

---

**PROPOSAL:** Site Access (Retrospective)  
**SITE/LOCATION:** 17 Groggan Road, Randalstown, BT41 3HA  
**APPLICANT:** Mr J Clyde

---

Barry Diamond, Principal Planning Officer, introduced the Planning Report to the Committee and made a recommendation to grant planning permission.

The undernoted Elected Member and public speakers addressed the Committee and responded to enquiries from Members as requested -

- Cllr M Rea
- Trevor Clarke, MLA
- Johnny Clyde

Proposed by Alderman Agnew  
Seconded by Councillor Duffin and

on the proposal being put to the meeting 8 Members voted in favour, 0 against and 1 abstention and agreed as follows:

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

*ACTION BY: John Linden*

Councillors Brett and Magill returned to the Chamber.

**ITEM 3.15 APPLICATION NO: LA03/2017/0381/F**

---

**PROPOSAL:** Erection of 13 No two storey dwellings

**SITE/LOCATION:** 18 Ballycraigy Road, Antrim

**APPLICANT:** Mr E Smyth

---

Barry Diamond, Principal Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse planning permission.

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

- Marcus Bingham

Proposed by Councillor Duffin  
Seconded by Councillor Magill and

on the proposal being put to the meeting 10 Members voted in favour, 1 against and 0 abstentions and agreed as follows:

**that planning permission be refused for the following reasons:**

1. **The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy FLD 3 of Planning Policy Statement 15, Planning and Flood Risk, in that it has not been demonstrated that adequate measures will be put in place so as to effectively mitigate the flood risk to the proposed development and from development elsewhere.**
2. **The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Planning Policy Statement 7, Quality Residential Environments, in that it has not been demonstrated that there will be no unacceptable adverse effects on the proposed properties in terms of noise disturbance from the adjoining industrial premises.**

*ACTION BY: John Linden*

**ITEM 3.16 APPLICATION NO: LA03/2017/0575/F**

---

**PROPOSAL:** Retrospective Agricultural Shed

**SITE/LOCATION:** 21a Carngraney Road, Ballynbarnish, Templepatrick, BT39 0EZ



**APPLICANT:** Tommy Smith

---

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

*ACTION BY: John Linden*

**ITEM 3.17 APPLICATION NO: LA03/2017/0457/O**

---

**PROPOSAL:** Dwelling on a Farm

**SITE/LOCATION:** 50m South of 100 Moneynick Road, Randalstown

**APPLICANT:** Daniel Joseph McKeever

---

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

*ACTION BY: John Linden*

**PART TWO OTHER PLANNING MATTERS**

**ITEM 3.18**

**TPO/2017/0040/LA03 - SERVICE OF PROVISIONAL TPO ON LANDS EAST OF 18, 20, 22, 24 AND 32 GLEBE ROAD WEST AND SOUTH OF OSTERLEY PARK, NEWTOWNABBEY**

On 13 September 2017, officers served a provisional Tree Preservation Order on the above mentioned lands in accordance with Section 123 of the Planning Act (Northern Ireland) 2011. The Order was served on the basis that it was expedient in the interests of amenity to preserve the trees on this site and to prohibit the cutting down, lopping, uprooting, wilful damage or wilful destruction of the trees. Members noted that this was a Provisional TPO which provides a 6 month period for officers to survey the site and identify trees or groups of trees which would warrant protection under a confirmed Tree Preservation Order. Prior to any Order being confirmed officers would present a full report to Committee for consideration. In accordance with the Council's Scheme of Delegation, officers were reporting the service of the Provisional TPO to the next available Committee Meeting.

Proposed by Alderman Campbell

Seconded by Councillor Hogg and unanimously agreed that

**the report be noted.**

*ACTION BY: John Linden*

### **ITEM 3.19**

#### **P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS**

A list of planning decisions issued by Officers during September 2017 under delegated powers was circulated for Members attention together with information received this month on planning appeals.

Proposed by Alderman Campbell  
Seconded by Councillor Hogg and unanimously agreed that

**the report be noted.**

*ACTION BY: John Linden*

### **ITEM 3.20**

#### **P/PLAN/1 PROPOSAL OF APPLICATION NOTIFICATION FOR MAJOR DEVELOPMENT**

Members were made aware that prospective applicants for all development proposals which fall into the Major development category under the 2011 Planning Act are required to give at least 12 weeks' notice to the Council that an application for planning permission is to be submitted. This is referred to as a Proposal of Application Notice (PAN). One PAN was registered during September the details were set out below.

<b>PAN Reference:</b>	LA03/2017/0851/PAN
<b>Proposal:</b>	Proposed demolition of existing pig farm (6no units housing 4200 finishing pigs) and replacement with 3no new pig units (to house 2760 sows and 235 replacement breeders) with air scrubber units, associated water and waste holding tanks, 7no feed bins, welfare facilities, feed kitchen/store, fallen stock incinerator, concrete hardstanding and 2no turning areas, loading bay, landscaped bund, tree and shrub planting, parking and new access.
<b>Location:</b>	Land adjacent and to the north of 10 Calhame Road, Ballyclare, BT39 9NA
<b>Applicant:</b>	JMW Farms Ltd
<b>Date Received:</b>	19 September 2017
<b>12 week expiry:</b>	12 December 2017

Members recalled that under Section 27 of the 2011 Planning Act obligations are placed on the prospective developer to consult the community in advance of submitting a Major development planning application. Where, following the 12 week

period set down in statute, an application is submitted this must be accompanied by a Pre-Application Community consultation report outlining what consultation has been undertaken regarding the application and detailing how this has influenced the proposal submitted.

Proposed by Alderman Campbell  
Seconded by Councillor Hogg and unanimously agreed that

**the report be noted.**

*ACTION BY: John Linden*

### **ITEM 3.21**

#### **P/PLAN/1 CHIEF PLANNER'S UPDATE – SEPTEMBER 2017**

Fiona McCandless, the Chief Planner in the Department for Infrastructure, had issued a Chief Planner's Update (copy circulated) which was intended to update councils in relation to particular planning issues.

The update covered the period from January – September 2017 and provided information under the headings of Regional Planning, Planning Legislation, Planning Policy, Planning Guidance, Planning Performance, Data Protection, planning Case Law, the new NI Planning IT System and Other Government Publications/Initiatives.

Proposed by Alderman Campbell  
Seconded by Councillor Hogg and unanimously agreed that

**the report be noted.**

*ACTION BY: John Linden*

### **ITEM 3.22**

#### **P/PLAN/12 - REPLACEMENT OF THE NORTHERN IRELAND PLANNING PORTAL**

Members were made aware that during the summer the Council had been involved in the Discovery Exercise led up by the Department for Infrastructure in relation to a potential shared service model for the planned replacement of the current NI Planning Portal.

A briefing note providing an update position had now been received from the Department (copy circulated). This indicated that the Discovery Exercise facilitated by Deloitte had now been completed. This detailed work had reviewed all current processes as well as considering the key requirements for a replacement system to assist in identifying a minimum viable product agreed across all users. It had also identified the following four emerging business solutions for delivery of the new system.

- One shared IT system that is collectively managed / controlled

- One shared IT system that is collectively managed / controlled but with local control for specific functions
- One shared public facing IT system with back-office IT system for each Department and local council
- Twelve standalone IT systems – one for each local council and the Department

The outworkings of the Discovery Exercise would now be used to inform the Business Case for the replacement of the Portal. PA consulting had recently been appointed to undertake this work.

Proposed by Alderman Campbell  
 Seconded by Councillor Hogg and unanimously agreed that

**the report be noted.**

*ACTION BY: John Linden*

### **ITEM 3.23**

#### **P/PLAN/1 - NORTHERN IRELAND PLANNING STATISTICS 2017/18 – FIRST QUARTERLY BULLETIN FOR THE PERIOD APRIL – JUNE 2017**

The first quarterly provisional planning statistics for 2017/18 produced by the Analysis, Statistics and Research Branch of the Department for Infrastructure (DfI), a copy of which was circulated, were released on 28 September 2017.

The figures showed that during the period from April to June 2017, the total number of planning applications received in Northern Ireland was 3,337, which was similar to the previous quarter (January – March 2017), but 3% down on the same quarter in 2016/17. The total number of decisions issued during this period was 3,301.

During this first quarter period a total of 199 new applications were received by Antrim and Newtownabbey Borough Council (the same number as the first quarter last year and therefore slightly above the NI trend) and 199 decisions were issued.

In relation to performance against statutory targets the Department for Infrastructure (DfI) figures show that the Council took on average 28.6 weeks to process and decide **Major** planning applications during the first quarter against the target of 30 weeks. This performance is a marked improvement on last year's overall Major performance and ranks among the top three of the 11 Councils and also reflects well against the average processing time of 56 weeks across all Councils. However, Members noted that these figures related to a very small number of Major applications (only two applications during the first quarter) and therefore be interpreted with care. A more realistic performance figure would only become apparent at year end and Members should be aware there are several Major applications that have been with the Planning Section for over 1 year that are now likely to come forward to Committee over the next 6 months for determination. This could clearly impact on the Council's Major performance target by year end.

The DfI figures showed that the Council took on average 11.6 weeks to process and decide **Local** planning applications during the first quarter against the target of 15

weeks. This performance showed continued improvement in average processing time and again ranks among the top three of the 11 Councils and reflects well against the average processing time of just over 15 weeks across all Councils.

In relation to enforcement the DfI figures highlighted that the Council's planning enforcement team again recorded the shortest time taken, 16.4 weeks, to process 70% of enforcement cases to target conclusion which compares favourably with the average processing time of 32.8 weeks across all Councils. The team's performance also ranked first in the proportion of cases brought to target conclusion within the performance target of 39 weeks.

Proposed by Alderman Campbell  
Seconded by Councillor Hogg and unanimously agreed that

**the report be noted.**

*ACTION BY: John Linden*

### **ITEM 3.24**

#### **PLANNING APPLICATIONS – REFERENCES T/2005/0977/F AND T/2005/1054/F AT PARKGATE QUARRY - RETAINED FOR DETERMINATION BY THE DEPARTMENT FOR INFRASTRUCTURE (DFI) – ADJOURNED HEARING BY THE PLANNING APPEALS COMMISSION**

#### **RECONSULTATION BY THE DFI UNDER ARTICLE 13 OF THE PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER (NORTHERN IRELAND) 2015**

Members recalled that, following the receipt of Notices of Opinion issued by the Department for Infrastructure advising that it intended to approve the following planning applications at Parkgate Quarry, the Council wrote to the Department in May 2016 seeking a hearing on both applications. The Department subsequently confirmed that the Planning Appeals Commission (PAC) had been requested to conduct a hearing and report its findings to the Department.

**Application Reference:** T/2005/0977/F  
**Proposal:** Construction of a Waste Transfer & Recycling Facility for Construction & Demolition Wastes

**Application Reference:** T/2005/1054/F  
**Proposal:** Landfill Facility for inert Construction and Demolition Wastes

**Location:** Parkgate Quarry, Connor Road, Parkgate  
**Applicant:** Henry Bros (Magherfelt) Ltd

Members further recalled that, at the second Pre-hearing meeting held on 12<sup>th</sup> December 2016, the PAC agreed to adjourn the hearing to await the submission of Further Environmental Information (FEI) volunteered by the applicant to the Department (see update from PAC website circulated).

This Further Environmental Information had now been received by the Department and it was noted this was based on an amended proposal insofar as the proposed throughput of the landfill was now 64,000 tonnes per annum with a life expectancy of 10 years to fill the 600,000 tonne void. The Waste Transfer and Recycling Facility was now proposed to accept a maximum of 50,000 tonnes per annum. Previously environmental information had referred to a maximum annual throughput of 300,000 tonnes per annum across both facilities. As a consequence of the reduction in throughput proposed the applicant had now calculated that the site would generate a total of 120 two-way vehicle trips daily consisting of 64 HGV two-way trips and 56 two-way trips related to staff/visitors. The Non-Technical summary of the Addendum to the Environmental Statement for these applications was circulated for Members information.

Following the receipt of this Further Environmental Information and the amendment to the scheme the Department for Infrastructure had once again consulted the Council on the proposal before it determined how it wished to proceed.

Members were made aware that the Council had previously opposed the scheme at Parkgate and had formally submitted the following concerns to the PAC for consideration at its hearing:

*In summary the Council considers that the proposed developments viewed on their individual merits are contrary to the provisions of the Strategic Planning Policy Statement and Policy WM 1 of PPS 11 Planning and Waste Management for the following reasons:*

- *they would result in an unacceptable impact on the environment and local amenities;*
- *they would result in an unacceptable impact on the character of Parkgate village and its surrounding environs;*
- *the traffic movements associated with the proposed developments will prejudice the safety and convenience of road users and cause demonstrable harm to the amenities enjoyed by local residents by virtue of noise and disturbance; and*
- *the public road network cannot satisfactorily accommodate the level of traffic proposed.*

It was clear that the scheme now before the Department had reduced the overall annual maximum throughput of material from 300,000 tonnes to 114,000 tonnes of material and that traffic likely to be generated would be reduced as a consequence.

Whilst it was unclear at this time whether the Department, given the changes proposed to the scheme, would be issuing new Notices of Opinion or amending the current Notices, the Council had been asked for its corporate view.

There were a number of options available to the Council in responding to the current consultation by DOE:

1. Maintain a corporate view opposing the development on the same grounds as previously provided.
2. Provide a new corporate view in support of the development.
3. Provide no corporate view on the development. In this case individual Members or parties may express support for or object to the development.

4. Linked to any of the above options indicate corporately whether the Council wishes to see the current hearing process continue or advise it no longer supports the hearing process.

Proposed by Councillor Hogg

Seconded by Councillor Duffin and unanimously agreed that

**option 1 be chosen and that the Council maintains a corporate view opposing the development on the same grounds as previously provided.**

*ACTION BY: John Linden*

There being no further Committee business under Part 2 of the agenda the Chairperson thanked everyone for their attendance and the meeting concluded at 10.35pm.

---

**MAYOR**

*Council Minutes have been redacted in accordance with the Freedom of Information Act 2000, the Data Protection Act 1998 and legal advice.*

