



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE
HELD IN MOSSLEY MILL ON MONDAY 15 JUNE 2020 AT 6.00 PM**

- In the Chair** : Alderman P Brett
- Committee Members Present** : Aldermen - F Agnew and T Campbell
Councillors – J Archibald, H Cushinan, S Flanagan, R Kinnear,
R Lynch, M Magill, S Ross, R Swann and B Webb
- Non-Committee Members Present** : Councillors – A Bennington, P Dunlop, L Irwin, V McAuley,
N McClelland, V McWilliam and J Montgomery
- Public Speakers** : Stephen McCarthy In Objection (Item 3.5)
Tom Stokes In Support (Agent Item 3.6)
Councillor V McAuley In Objection (Item 3.7)
Emma Rogers In Objection (Item 3.7)
Gary McKee In Support (Agent Item 3.7)
Aaron Cairnduff In Support (Agent Item 3.7)
Cecilia Macleod In Support (Agent Item 3.7)
Councillor P Dunlop In Support (Item 3.8)
Ivan McClean In Support (Items 3.9 & 3.10)
- Officers Present** : Deputy Chief Executive - M McAlister
Borough Lawyer & Head of Legal Services – P Casey
Head of Planning – J Linden
Principal Planning Officer – B Diamond
PA to Deputy Chief Executive – S McVeigh
Legal Services Officer (Solicitor) – E Keenan
ICT Change Officer – A Cole
System Support Officer - Colin Bell
Member Services Officer – S Boyd

CHAIRPERSON'S REMARKS

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

In order to protect public health during the current COVID-19 emergency it was not possible to allow the public or the press to attend the Planning Committee meeting. The minutes and audio recording will be published on the Council's website.

The Chairperson reminded Members that, in line with current operational procedures for the Committee, the meeting would commence at 6.00 pm to consider Part One Agenda Items as well as any other pre-notified business arising, and that consideration of Planning Applications would commence at 6.30 pm.

The Borough Lawyer & 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

Chief Executive - J Dixon

2 DECLARATIONS OF INTEREST

Item 3.7 - Councillor Kinnear
Item 3.12 - Councillor Cushinan

PART ONE GENERAL PLANNING MATTERS

ITEM 3.1

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during May 2020 under delegated powers was circulated for Members' attention together with information received this month on planning appeals.

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

the report be noted.

NO ACTION

ITEM 3.2

P/PLAN/1 PROPOSAL OF APPLICATION NOTICE FOR MAJOR DEVELOPMENT

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). Two PANs were registered during May 2020 the details of which are set out below.

PAN Reference: LA03/2020/0331/PAN
Proposal: Proposed residential development of 81 no. dwellings (comprising of detached and semi-detached units), garages, sunrooms, landscaping, open space and all associated site and access works, including the erection of 1 no. pumping station and 1 no. waste water treatment.

Location: Lands immediately adjacent and to the north of and north-west of Oakfield Residential Development and Jordanstown Special School, Jordanstown Road, Newtownabbey

Applicant: Silverwood Development Lands Ltd

Date Received: 21 May 2020

12 week expiry: 14 August 2020

PAN Reference: LA03/2020/0332/PAN

Proposal: Proposed residential development (of approx. 56 dwellings and apartments), with garages and associated infrastructure and landscaping.

Location: Former Northern Regional College Lands Fountain Street Antrim BT41 4AL

Applicant: Simpson Developments Ltd

Date Received: 21 May 2020

12 week expiry: 14 August 2020

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 the consultation that has been undertaken regarding the application and detailing how this has influenced the proposal submitted.

As part of its response to Coronavirus, the Department for Infrastructure had recently introduced an amendment to subordinate legislation to temporarily remove the requirement for a public event as part of the Pre-Application Community Consultation (PACC).

The Planning (Development Management) (Temporary Modifications) (Coronavirus) Regulations (Northern Ireland) 2020 temporarily amend the Planning (Development Management) Regulations (Northern Ireland) 2015 and will apply for five months. Applicants will still need to comply with other requirements to ensure communities are aware of and can input to major development proposals for their areas. However, this temporary change will allow major planning applications to continue to be submitted during the COVID-19 outbreak.

Guidance issued by the Department indicated that specific detail should be included in the PAN application indicating what consultation methods the prospective applicant was proposing to ensure that the local community is able to access, and comment on, information about a proposed development, despite the absence of a PACC public event.

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

the report be noted.

NO ACTION

Councillor Webb joined the meeting.

ITEM 3.3

CONSULTATION BY BELFAST CITY COUNCIL – PLANNING APPLICATION REFERENCE LA04/2020/0595/F

Belfast City Council (BCC) had consulted the Council on an application received for the development of a wind turbine (circulated). The proposed site, whilst located within the BCC District on the Upper Hightown Road, lies only a short distance to the north of the District Council boundary with Antrim and Newtownabbey Borough.

Application Reference: LA04/2020/0595/F
Proposal: Proposed installation of a wind turbine on a 60m high tabular tower and 100m high blade tip, switch room cabinet, sub-station cabinet, extension of an existing laneway to form site access and all other associated ancillary works
Location: 510m north/north west of no.33 Upper Hightown Road Ballysillan Upper Belfast
Applicant: Hill Power Ltd

Further Information on this application is available to view at the Planning Portal
www.planningni.gov.uk

Officers advised that the Council is not the decision maker in respect of this application; rather the Council is one of a number of bodies which has been consulted by BCC on the application. Any comments made by the Council will be considered by BCC as part of the processing of the application together with all other consultation replies and other representations received. In addition while the Council had been consulted on the proposed development, there was no obligation on the Council to provide a corporate view.

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

1. Provide a corporate view in support of the development.
2. Provide a corporate view opposing 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.

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

Members respond on an individual or Party Political basis.

ACTION BY: John Linden, Head of Planning

ITEM 3.4

NON-DETERMINATION APPEAL – APPLICATION LA03/2019/1033/O AT BALLYLAGAN ROAD, BALLYCLARE

The applicant for the following planning application at Ballylagan Road, Ballyclare has lodged an appeal with the Planning Appeals Commission (PAC) in default of a decision being made by the Council. This is what is commonly referred to as a Non-Determination Appeal. This means that jurisdiction for determination of this application has now passed to the PAC, rather than the Council.

APPLICATION NO: LA03/2019/1033/O
APPEAL REF: 2020/A0022
PROPOSAL IN BRIEF: Erection of Dwelling on a Farm
SITE/LOCATION: 85m east of No. 40 Ballylagan Road, Ballyclare
APPLICANT: Mr Robert Woodside

In line with normal practice for such appeals the PAC will in due course seek a view from the Council as to whether it wishes to provide draft reasons of refusal or conditions for the proposed development.

The Planning Section report (circulated) which was scheduled to come to the June meeting of the Planning Committee considered that the proposed development is at this time unacceptable for the reasons summarised below:

- It has not been demonstrated that a new dwelling on the site proposed would be visually linked or cluster with an established group of buildings on the farm
- It is considered that a new dwelling on the application site would fail to integrate into the surrounding landscape; and
- The proposal would result in a detrimental impact on the character of the surrounding rural area.

There were no public speakers to address this item.

Proposed by Alderman Campbell
Seconded by Alderman Brett and unanimously agreed

that the Officer recommendation proposing draft reasons of refusal on the application be approved and that Officers be authorised to submit a Statement of Case to the PAC on this basis and defend this position at appeal.

ACTION BY: John Linden, Head of Planning

ITEM 3.5

NON-DETERMINATION APPEAL – APPLICATION LA03/2020/0008/F AT GLENKEEN AVENUE, JORDANSTOWN

The applicant for the following planning application at Glenkeen Avenue, Jordanstown had lodged an appeal with the Planning Appeals Commission (PAC) in default of a decision being made by the Council. This was what is commonly referred to as a Non-Determination Appeal. This means that jurisdiction for

determination of this application had now passed to the PAC, rather than the Council.

APPLICATION NO: LA03/2020/0008/F
APPEAL REF: 2020/A0016
PROPOSAL IN BRIEF: Proposed demolition of existing dwelling and erection of 2no dwellings and garages and associated site works
SITE/LOCATION: No. 6 Glenkeen Avenue, Jordanstown, Newtownabbey
APPLICANT: Mr Jim Hanna

In line with normal practice for such appeals the PAC would in due course seek a view from the Council as to whether it wished to provide draft reasons of refusal or conditions for the proposed development.

The Planning Section report (circulated) which was scheduled to come to the June meeting of the Planning Committee considered that the proposed development is acceptable subject to the conditions outlined in the Report.

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

Stephen McCarthy In Objection

Proposed by Alderman Campbell
Seconded by Alderman Brett and unanimously agreed

that the Officer recommendation proposing draft conditions be approved and that Officers be authorised to submit a Statement of Case to the PAC on this basis and defend this position at appeal.

ACTION BY: John Linden, Head of Planning

ITEM 4.0

ANY OTHER BUSINESS

The Chair advised Members that a letter had been received over the weekend from the Minister for Infrastructure and circulated to Members with hard copies being made available in the Chamber.

Proposed by Councillor Webb
Seconded by Alderman Brett and unanimously agreed

that the Planning, Economic Development and Environmental Health Sections liaise with DfI Roads, and look into a fast track process for decision making to support the hospitality businesses' recovery plans in advance of the proposed task force meeting.

ACTION BY: Majella McAlister, Head of Economic Development and Planning

There being no other business the Chairperson advised that there would be a short interval, when the remainder of Committee business would resume.

Meeting reconvened at 6.50pm.

Alderman Agnew and Councillors Archibald and Magill joined the meeting.

CHAIRPERSON'S REMARKS

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

The Borough Lawyer & 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

Chief Executive - J Dixon

2 DECLARATIONS OF INTEREST

Item 3.7 - Councillor Kinnear
Item 3.12 - Councillor Cushinan

PART TWO PLANNING APPLICATIONS

ITEM 3.6 APPLICATION NO: LA03/2020/0128/F

PROPOSAL:	Proposed residential development of 90 dwellings (comprising 19 No detached, 66 No semi-detached and 5no townhouses), garages, sunrooms, landscaping, open space and all other associated site and access works
SITE/LOCATION:	Lands 80m south of Ferrard Meadows adjacent and north of 41-45 Castle Park; 25-30 Massereene Gardens and 32 Massereene Gardens and west of Ballymena Road, Antrim
APPLICANT:	Lotus Homes UK Ltd

Barry Diamond, Principal Planning Officer, introduced the 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 –

Tom Stokes

In Support (Agent)

Proposed by Alderman Brett
Seconded by Councillor Lynch and

on the proposal being put to the meeting 11 Members voted in favour, 0 against and 1 abstention, it was agreed

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

ACTION BY: John Linden, Head of Planning

Councillor Kinnear left the meeting having declared an interest in Item 3.7.

ITEM 3.7 APPLICATION NO: LA03/2019/0727/F

PROPOSAL:	Proposed extension to existing building to provide additional storage facilities.
SITE/LOCATION:	Zeus Packaging, Unit 22, Belfast Road, Central Park, Mallusk, Newtownabbey, BT36 4FS
APPLICANT:	Angus Properties Ltd

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 –

Councillor V McAuley	In Objection
Emma Rogers	In Objection
Gary McKee	In Support (Agent)
Aaron Cairnduff	In Support (Agent)
Cecilia Macleod	In Support (Agent - for questions)

Proposed by Alderman Brett
Seconded by Alderman Agnew and

on the proposal being put to the meeting 8 Members voted in favour, 3 against and 0 abstentions, it was agreed

that planning permission be granted for the application subject to the conditions set out in the Planning Report with the inclusion of an additional condition, the detail of which was delegated to Officers, for the submission of a landscaping scheme to enhance screen planting along the boundary of the site with adjacent properties at Blackrock Row.

ACTION BY: John Linden, Head of Planning

Councillor Kinnear returned to the meeting.

Councillor Magill left the meeting during Item 3.8 and was unable to vote.

ITEM 3.8 APPLICATION NO: LA03/2020/0114/O

PROPOSAL: Single dwelling and garage
SITE/LOCATION: Land 75 metres North West of No. 48 Ballynoe Road, Antrim
APPLICANT: Mr John Agnew

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

The undernoted Elected Member addressed the Committee and responded to enquiries from Members as requested –

Councillor P Dunlop In Support

Proposed by Alderman Campbell
Seconded by Councillor Archibald and unanimously agreed

that the application be deferred to provide an opportunity for the applicant to submit additional information relating to his equestrian business. In so doing however, the Committee also agreed that if the additional information requested is not submitted within two weeks that authority be delegated to Officers to issue a refusal decision.

ACTION BY: John Linden, Head of Planning

Councillor Magill returned to the meeting.

ITEM 3.9 APPLICATION NO: LA03/2019/0059/O

PROPOSAL: Site of dwelling and garage (infill)
SITE/LOCATION: 30 metres southeast of 7 Ballyquillan Road, Crumlin
APPLICANT: Robert Muckian

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

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

Ivan McClean In Support (Agent)

Proposed by Alderman Campbell
Seconded by Alderman Agnew and

on the proposal being put to the meeting 11 Members voted in favour, 0 against and 1 abstention, it was agreed

that outline planning permission be refused for the following reasons:

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY1 and CTY8 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 and it fails to meet with the provisions for an infill dwelling in accordance with Policy CTY8 of PPS21.
2. The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along the shared laneway.

ACTION BY: John Linden, Head of Planning

ITEM 3.10 APPLICATION NO: LA03/2019/0061/O

PROPOSAL:	Site of dwelling and garage (infill)
SITE/LOCATION:	50 metres northwest of 5b Ballyquillan Road, Crumlin
APPLICANT:	Robert Muckian

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

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

Ivan McClean In Support (Agent)

Proposed by Alderman Campbell
Seconded by Alderman Agnew and

on the proposal being put to the meeting 11 Members voted in favour, 0 against and 1 abstention, it was agreed

that outline planning permission be refused for the following reasons:

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY1 and CTY8 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 and it fails to meet with the provisions for an infill dwelling in accordance with Policy CTY8 of PPS21.
2. The proposal is contrary to Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the creation of ribbon development along the shared laneway.

ACTION BY: John Linden, Head of Planning

ITEM 3.11 APPLICATION NO: LA03/2020/0038/A

PROPOSAL:	Proposed digital sign on west gable elevation of the Church Hall and replacement of existing freestanding illuminated sign with digital sign.
SITE/LOCATION:	560 Doagh Road, Newtownabbey
APPLICANT:	Trinity R.P. Church

Barry Diamond, Principal Planning Officer, introduced the Planning Report and associated Addendum Report to the Committee and made a recommendation to grant advertisement consent.

There were no public speakers to address this item.

Proposed by Alderman Campbell
Seconded by Councillor Lynch and unanimously agreed

that advertisement consent be granted for the application subject to the conditions set out in the Addendum Report.

ACTION BY: John Linden, Head of Planning

Councillor Cushman left the Chamber having declared an interest in Item 3.12.

ITEM 3.12 APPLICATION NO: LA03/2020/0070/F

PROPOSAL:	2.4 metre high fencing with 2 sets of 6metre wide wire mesh vehicular gates and 2 No. 1.5metre wide wire mesh pedestrian gates.
SITE/LOCATION:	Moneynick Primary School, Randalstown
APPLICANT:	Moneynick Primary School

Barry Diamond, Principal 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 Webb
Seconded by Alderman Brett and unanimously agreed

that 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 CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the design and appearance of the**

proposal is unacceptable in this rural location and would detract from the character and appearance of the rural area.

ACTION BY: John Linden, Head of Planning

Councillor Cushinan returned to the Chamber.

PROPOSAL TO PROCEED 'IN CONFIDENCE'

Proposed by Councillor Lynch

Seconded by Councillor Archibald and agreed that

the following Committee business be taken In Confidence.

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

ITEM 3.13 - ENFORCEMENT CASE: LA03/2018/0356/CA

Barry Diamond, Principal Planning Officer, introduced the Enforcement Report to the Committee and made a recommendation that authority be granted to progress enforcement action, the detail of which is delegated to appointed Officers.

Proposed by Alderman Campbell

Seconded by Alderman Agnew and unanimously agreed

that enforcement action be progressed in this case as outlined in the Enforcement Report with the detail of this delegated to appointed Officers.

ACTION BY: John Linden, Head of Planning

ITEM 3.14 - ENFORCEMENT CASE: LA03/2020/0068/CA

Barry Diamond, Principal Planning Officer, introduced the Enforcement Report to the Committee and made a recommendation that authority be granted to progress enforcement action, the detail of which is delegated to appointed Officers.

Proposed by Councillor Lynch

Seconded by Councillor Magill and unanimously agreed

that enforcement action be progressed in this case as outlined in the Enforcement Report with the detail of this delegated to appointed Officers.

ACTION BY: John Linden, Head of Planning

PROPOSAL TO MOVE OUT OF 'IN CONFIDENCE'

Proposed by Councillor Lynch
Seconded by Councillor Archibald and agreed that

any remaining Committee business be conducted in Open Session.

At this point, the Chairperson advised that audio recording would recommence.

There being no further Committee business the Chairperson thanked everyone for their attendance and the meeting concluded at 8.22 pm.

MAYOR