



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE  
HELD IN MOSSLEY MILL ON MONDAY 20 MARCH 2023 AT 6.00 PM**

- In the Chair** : Alderman F Agnew
- Committee Members Present (In Person)** : Aldermen - T Campbell and J Smyth  
Councillors – J Archibald-Brown, A Bennington, H Cushinan, S Flanagan, R Lynch, M Magill and B Webb
- Committee Members Present (Remotely)** : Councillors – R Kinnear, R Swann
- Non-Committee Members Present (Remotely)** : Councillors – J Gilmour, V McWilliam
- Public Speakers** :
- |                     |                                  |
|---------------------|----------------------------------|
| Nick Salt           | In Support (Agent, Item 3.2)     |
| Lisa Shannon        | In Support (Agent, Item 3.3)     |
| Paul Caldwell       | In Support (Applicant, Item 3.3) |
| Michael Worthington | In Support (Agent, Item 3.4)     |
| Nigel Coffey        | In Support (Agent, Item 3.7)     |
| Russell Finlay      | In Support (Agent, Item 3.11)    |
| Fraser Wilson       | In Objection (Item 3.12)         |
| Terry McCreesh      | In Objection (Item 3.12)         |
| Barney McKeivitt    | In Support (Agent, Item 3.12)    |
- Officers Present** : Director of Economic Development and Planning - M McAlister  
Deputy Director of Planning – S Mossman  
Head of Planning Development Management – B Diamond  
Senior Planning Officer – J McKendry  
Senior Planning Officer – K O'Connell  
Senior Planning Officer – A Leathem  
Systems Support Officer – C Bell  
ICT Helpdesk Officer – D Mason  
Member Services Officer – L Irwin  
Member Services Officer – C McIntyre

**CHAIRPERSON'S REMARKS**

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

The Chairperson further advised that an Addendum report relating to Item 3.7, the Site Visit report, and a speakers' list had been circulated to Members in advance of the meeting, with hard copies being made available in the Chamber.

The Chairperson further advised Members that Item 3.5 had been withdrawn by Officers.

The Director of Economic Development and Planning 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  
Borough Lawyer & Head of Legal Services P Casey

## **2 DECLARATIONS OF INTEREST**

None.

# **PART ONE PLANNING APPLICATIONS**

## **ITEM 3.1 APPLICATION NO: LA03/2022/0042/O**

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**PROPOSAL:** Mixed use development comprising petrol filling station and local neighbourhood supermarket, care home and consequential modifications to the housing layout approved under planning reference U/2008/0155/RM and realignment to access road serving St Enda's Gaelic Athletic Club and the Gaelscoil Eanna

**SITE/LOCATION:** Land to the south of Hightown Road and 30m East of Holly Manor and 20-30 (evens) Hollybrook Manor Glengormley

**APPLICANT:** Conway Estates Ltd

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Kieran O'Connell, 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 Webb

Seconded by Alderman Campbell that outline planning permission be granted.

On the proposal being put to the meeting 10 Members voted in favour, 0 against and 1 abstention, it was agreed

**that outline 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*

Councillor Kinnear joined the meeting remotely during this item and was therefore unable to vote.

**ITEM 3.2 APPLICATION NO: LA03/2022/1015/F**

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<b>PROPOSAL:</b>	Proposed storage and distribution facility comprising freezers, coolers, warehousing, cold dock, offices and staff welfare accommodation together with ancillary plant equipment and structures; site preparation work, including regrading of site levels; access parking areas; associated landscaping including detention pond; truck marshalling area with vehicle maintenance facility and associated fuel tanks, associated staff car park and loading/unloading areas and installation of photovoltaic panels. Access to the site via Nutts Corner Road.
<b>SITE/LOCATION:</b>	Lands approximately 135 metres south west of Nutts Corner Roundabout and 88 metres east of 79 Nutts Corner Road Crumlin, Antrim.
<b>APPLICANT:</b>	Heron Bros Ltd

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Kieran O'Connell, 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 –

Nick Salt	In Support/Agent
Angela Wiggam	In Support/Agent (for questions)
Michael Connelly	In Support/Applicant (for questions)
Alan Waite	In Support/Consultant (for questions)

Proposed by Alderman Campbell

Seconded by Councillor Flanagan that planning permission be granted.

On the proposal being put to the meeting 11 Members voted in favour, 0 against and 0 abstentions, it was unanimously 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*

**ITEM 3.3 APPLICATION NO: LA03/2022/0497/F**

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<b>PROPOSAL:</b>	Construction of 1 no. bridge access over existing railway line to replace 2no. existing manually operated user worked crossings, includes associated access to public road, associated earthworks, bat barn, landscaping, ancillary development and demolition of vacant buildings at 159 Belfast Road
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**SITE/LOCATION:** Lands to the south of Belfast Road between 127 and 163 Belfast Road, lands to south of existing railway line and lands at 159 Belfast Road.

**APPLICANT:** NI Transport Holding Company (t/a Translink)

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Kieran O'Connell, 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 –

Lisa Shannon	In Support/Agent
Paul Caldwell	In Support/Applicant
Martin Quigg	In Support/Agent (for questions)

Proposed by Councillor Bennington

Seconded by Alderman Campbell that planning permission be granted.

On the proposal being put to the meeting 12 Members voted in favour, 0 against and 0 abstentions, it was unanimously 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*

#### **ITEM 3.4 APPLICATION NO: LA03/2022/0184/F**

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**PROPOSAL:** Development of 18 No. 1-bed apartments for supported living, associated landscaping and car parking and access including upgrade of existing access road

**SITE/LOCATION:** Land to the rear of 40 to 74 Main Street and 5 Park Street, Ballyclare

**APPLICANT:** Norlin EV, 14 Gresham Street, Belfast, BT1 1JN

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Johanne McKendry, Senior 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 –

Michael Worthington	In Support/Agent
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Proposed by Councillor Flanagan

Seconded by Councillor Webb that planning permission be granted.

On the proposal being put to the meeting 12 Members voted in favour, 0 against and 0 abstentions, it was unanimously 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*

**ITEM 3.5 APPLICATION NO: LA03/2022/1049/F**

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<b>PROPOSAL:</b>	Retention of beauty salon in rear garden of dwelling operating from a modular building
<b>SITE/LOCATION:</b>	6 Temple Hall, Ballyclare, Templepatrick, BT39 0FH
<b>APPLICANT:</b>	Grace Dunlop

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The Chairperson advised that this application had been withdrawn by Officers.

*ACTION BY: Sharon Mossman, Deputy Director of Planning*

The Chairperson took Items 3.7, 3.11 and 3.12 at this point of the meeting.

*Councillor Flanagan left the Chamber during this item and was therefore unable to vote.*

**ITEM 3.7 APPLICATION NO: LA03/2022/1118/F**

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<b>PROPOSAL:</b>	Erection of stables building for private use only including ancillary siteworks.
<b>SITE/LOCATION:</b>	120m NE of 16 Rickamore Road, Templepatrick, BT39 0ET
<b>APPLICANT:</b>	S Nicholson & R McAlonan

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Alicia Leathem, Senior Planning Officer, introduced the Planning Report and associated addendum 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 –

Nigel Coffey

In Support/Agent

Proposed by Alderman Campbell

Seconded by Councillor Bennington that planning permission be refused.

On the proposal being put to the meeting 11 Members voted in favour, 0 against and 0 abstentions, it was unanimously agreed

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

1. **The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 1 of Planning Policy Statement, 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 policy provisions contained in the Strategic Planning Policy Statement and Policy OS3 of Planning Policy Statement 8, Sustainable Development in the Countryside, in that the proposal does not possess a recreational element and there are other existing buildings which could be utilised.**

*ACTION BY: Sharon Mossman, Deputy Director of Planning*

*Councillor Flanagan returned to the Chamber.*

**ITEM 3.11 APPLICATION NO: LA03/2022/1012/F**

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<b>PROPOSAL:</b>	Managers dwelling and garage in conjunction with adjacent residential home
<b>SITE/LOCATION:</b>	Lands approx. 50m northwest of Ard Na Grainde PRH, 15 Moneyrod Road, Randalstown, BT41 3JB
<b>APPLICANT:</b>	J McCann

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Alicia Leathem, 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 –

Russell Finlay

In Support/Agent

Proposed by Alderman Campbell

Seconded by Councillor Bennington that planning permission be refused.

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

**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 CTY1 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 policy provisions of the Strategic Planning Policy Statement and Policy CTY 7 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that it has not been clearly demonstrated that**

it is essential for a new dwelling to be constructed for an employee to live at the site.

3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 13 and CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling on this site would, if permitted be a prominent feature in the landscape.
4. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that, the design of the dwelling is inappropriate for the site and its locality and the site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the building to integrate into the landscape.
5. The proposal is contrary to Planning Policy Statement 3, Access, Movement and Parking, Policy AMP 2, in that it would, if permitted, prejudice the safety and convenience of road users as it has not been sufficiently demonstrated that the necessary visibility splays can be provided.

*ACTION BY: Sharon Mossman, Deputy Director of Planning*

**ITEM 3.12 APPLICATION NO: LA03/2022/0886/F**

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<b>PROPOSAL:</b>	Detached dwelling house and detached domestic garage, change of house type to (T/2013/0396/F).
<b>SITE/LOCATION:</b>	Lands approximately 100m West of No.10 Eskylane Road, Antrim, BT41 2LL
<b>APPLICANT:</b>	Mr Daniel McManus

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Alicia Leathem, 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 –

Fraser Wilson	In Objection
Terry McCreesh	In Objection
Barney McKeivitt	In Support/Agent
Daniel McManus	In Support/Applicant (for questions)

Proposed by Councillor Bennington

Seconded by Alderman Campbell that planning permission be refused.

On the proposal being put to the meeting 7 Members voted in favour, 5 against and 0 abstentions, it was 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 13 of Planning Policy Statement 21, Sustainable Development in the Countryside as the design of the building is inappropriate in this rural landscape due to its scale and massing.**

*ACTION BY: Sharon Mossman, Deputy Director of Planning*

*Councillor Magill left the Chamber during Item 3.6 and was therefore unable to vote.*

#### **ITEM 3.6 APPLICATION NO: LA03/2022/0377/F**

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<b>PROPOSAL:</b>	Retention of farm building and farmyard
<b>SITE/LOCATION:</b>	80m SSW of no 223 Seven Mile Straight, Crumlin
<b>APPLICANT:</b>	Mr Gary Anderson

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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 Bennington

Seconded by Alderman Campbell that planning permission be refused.

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

**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 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.**
- 2. The proposal is contrary to Policy CTY 12 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that the applicant has not provided sufficient information to confirm that the building is necessary for the efficient use of an active and established agricultural holding, and it has not been demonstrated that there are no alternative sites available at another group of buildings on the farm holding.**
- 3. The proposal is contrary to the Strategic Planning Policy Statement and Policy CTY 12 of Planning Policy Statement 21: Sustainable Development in the Countryside, as it has not been demonstrated that the development, if permitted, would not have a detrimental impact on neighbour amenity by way of noise, smell and pollution.**
- 4. The proposal is contrary to Policy AMP 2 of PPS 3 and Policy CTY 12 of Planning Policy Statement 21: Sustainable Development in the Countryside in that it would,**



if permitted, prejudice the safety and convenience of road users since it proposed to use an existing access at which clear visibility splays of 2.4 metres x 160 metres cannot be provided in accordance with the standards contained in the Department's Development Control Advice Note (DCAN) 15.

5. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY 12 of Planning Policy Statement 21: Sustainable Development in the Countryside and Policy NH 1 of PPS 2: Natural Heritage, in that the proposed development may have a detrimental impact on the site selection features of a European Designated Site through increased ammonia emissions.

*ACTION BY: Sharon Mossman, Deputy Director of Planning*

**ITEM 3.8 APPLICATION NO: LA03/2022/0968/O**

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<b>PROPOSAL:</b>	Site for dwelling
<b>SITE/LOCATION:</b>	40m SE of 4 Crosskennan Road Antrim BT41 2QL
<b>APPLICANT:</b>	Neill Park

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Alicia Leathem, 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 Councillor Flanagan

Seconded by Alderman Smyth that outline planning permission be refused.

On the proposal being put to the meeting 11 Members voted in favour, 0 against and 0 abstentions, it was unanimously 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 Policy CTY 10 and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building if permitted, would not be visually linked with an established group of farm buildings on the farm holding.**
2. **The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 13 and CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, the building would be a prominent feature in the landscape; the proposed site lacks long established natural boundaries and relies on new landscaping and the site fails to blend with the existing landform.**

*ACTION BY: Sharon Mossman, Deputy Director of Planning*

*Councillor Magill returned to the Chamber at this point.*

Councillor Lynch left the Chamber.

The Chairperson advised Members that Items 3.9 and 3.10 would be taken together but voted on individually.

**ITEM 3.9 APPLICATION NO: LA03/2022/1084/O**

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**PROPOSAL:** Dwelling and Garage (Infill Site)  
**SITE/LOCATION:** 35m North West of 38 Speerstown Road Moorefields Ballymena  
**APPLICANT:** Leigh McBride

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Alicia Leathem, 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 Councillor Flanagan

Seconded by Councillor Bennington that outline planning permission be refused.

On the proposal being put to the meeting 11 Members voted in favour, 0 against and 0 abstentions, it was unanimously agreed

**that outline 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 CTY1 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 policy provisions contained in the Strategic Planning Policy Statement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site is not within an otherwise substantial and continuously built up frontage and the proposal does not represent a small gap site sufficient only to accommodate a maximum of two dwellings.**
- 3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, create a ribbon of development and a suburban style of build-up, further eroding the rural character of the area.**
- 4. The proposal is contrary to the policy provisions of the Strategic Planning Policy and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the**

**building to integrate into the landscape and would rely on the use of new landscaping for integration.**

*ACTION BY: Sharon Mossman, Deputy Director of Planning*

**ITEM 3.10 APPLICATION NO: LA03/2022/1087/O**

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**PROPOSAL:** Dwelling and Garage (Infill Site)  
**SITE/LOCATION:** 75m North West of 38 Speerstown Road Moorefields Ballymena  
**APPLICANT:** Leigh McBride

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Alicia Leathem, 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 Councillor Flanagan

Seconded by Councillor Bennington that outline planning permission be refused.

On the proposal being put to the meeting 11 Members voted in favour, 0 against and 0 abstentions, it was unanimously agreed

**that outline 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 CTY1 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 policy provisions contained in the Strategic Planning Policy Statement and fails to meet with the provisions for an infill dwelling in accordance with Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site is not within an otherwise substantial and continuously built up frontage and the proposal does not represent a small gap site sufficient only to accommodate a maximum of two dwellings.**
- 3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, create a ribbon of development and a suburban style of build-up, further eroding the rural character of the area.**
- 4. The proposal is contrary to the policy provisions of the Strategic Planning Policy and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposed site lacks long established natural boundaries and is unable to provide a suitable degree of enclosure for the**

**building to integrate into the landscape and would rely on the use of new landscaping for integration.**

*ACTION BY: Sharon Mossman, Deputy Director of Planning*

*Councillor Lynch returned to the Chamber.*

## **PART TWO                    OTHER PLANNING MATTERS**

### **ITEM 3.13**

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

A list of planning decisions issued by Officers during February 2023 under delegated powers together with information relating to planning appeals was circulated for Members information.

One appeal was dismissed during February 2023 by the Planning Appeals Commission (PAC) in relation to LA03/2021/0431/O (2021/A0166), proposed dwelling and garage on a farm approximately 40m North of No.4 Cranfield Road, Randalstown, a copy of the decision was circulated.

Proposed by Alderman Campbell  
Seconded by Councillor Webb and unanimously agreed

**that the report be noted.**

*ACTION BY: Stephanie Boyd, Planning and Economic Development Business Support Supervisor*

### **ITEM 3.14**

#### **P/PLAN/1 PROPOSAL OF APPLICATION NOTICES 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 (2) PANs were registered during February 2023.

<b>PAN Reference:</b>	LA03/2023/0065/PAN
<b>Proposal:</b>	New industrial facility comprising the erection of a manufacturing/ assembly building, storage warehouse, office building, with car parking, landscaping and associated works.
<b>Location:</b>	140m north of Unit 1, Global Point Business Park, Newtownabbey, BT36 5TB
<b>Applicant:</b>	CDE Global
<b>Date Received:</b>	18 February 2023

<b>12 week expiry:</b>	13 May 2023
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<b>PAN Reference:</b>	LA03/2023/0021/PAN
<b>Proposal:</b>	Proposed redevelopment of the CAFRE Greenmount Further Education Campus comprising demolition of Fulton Hall, Boyd Hall, the Technology Building and modular storage & student accommodation units; construction of new student accommodation, teaching facilities, conference building, and staff offices & facilities; energy centre; access parking and landscaping.
<b>Location:</b>	Lands at CAFRE Greenmount Campus, 45 Tirgracy Road, Antrim, BT41 4PS
<b>Applicant:</b>	Seamus Fay
<b>Date Received:</b>	8 February 2023
<b>12 week expiry:</b>	27 April 2023

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 influenced the proposal submitted.

Proposed by Alderman Campbell  
Seconded by Councillor Webb and unanimously agreed

**that the report be noted.**

*ACTION BY: Stephanie Boyd, Planning and Economic Development Business Support Supervisor*

### **ITEM 3.15**

#### **P/PLAN/1 PLANNING PORTAL UPDATE**

At the recent most recent meeting of the Planning Portal Governance Board, attendees were advised that a programme of fixes continues to be applied to the new Planning Portal. Progress has been made in a number of areas but work remained ongoing. It was anticipated that it will be business as normal from 1 April 2023. The Planning Section has continued to bring forward its own internal steps to rectify where feasible in house issues, working alongside provider fixes.

At the meeting, attendees were advised that an updated priority work programme would be forthcoming and that communications were to be improved in relation to how the new portal was being improved.

Officers advised they had asked the Department for an official update for the benefit of Elected Members.

Proposed by Alderman Campbell  
Seconded by Councillor Webb and unanimously agreed

**that the report be noted.**

*ACTION BY: Sharon Mossman, Deputy Director of Planning*

### **ITEM 3.16**

#### **P/FP/LDP/1 LOCAL DEVELOPMENT PLAN UPDATE**

##### **Departmental Publication**

Correspondence had been received from the Department for Infrastructure regarding the publication of Development Plan Practice Note 11 (DPPN 11) 'Receipt of Independent Examination (IE) Report and Adoption of a Development Plan Document' (February 2023). A copy was circulated for information. This practice note focused on the key legislative requirements in relation to the consideration of the Independent Examination (IE) Report and adoption of a Development Plan Document (DPD) by a council.

The Chief Executive had recently written to Julie Harrison, Permanent Secretary (circulated), requesting the Report from the Planning Appeals Commission (PAC) should be released to the Council at the same time as the Department. A response is awaited.

##### **Planning Appeals Commission**

Members would recall that the next stage of the process was for the PAC to submit their IE Report to the Department. Section 12 (1) of the Planning Act (Northern Ireland) 2011 Act states that the Department must consider the recommendations made under section 10(8) and direct a council to: (1) adopt the development plan document as originally prepared; (b) adopt the development plan document with such modifications as may be specified in the direction; or (c) withdraw the development document.

Members were reminded that the PAC previously advised in the closing notes of IE that they hoped to deliver the IE Report to the Department by the end of January 2023. On 31 January 2023 the PAC subsequently revised this date to the end of February 2023. On 28 February 2023 (circulated) the PAC advised that there will be a further delay and that they are not in a position to provide a delivery date of the IE Report to the Department.

The Council's Chief Executive had now written directly to the PAC's Chief Commissioner, Ms Andrea Kells, asking for clarification on the reason for the delay and an estimation of timescales (circulated).

In anticipation of this, the Council's Planning Section would continue to engage with statutory partners and progress preparatory work on the next stage of the Local Development Plan, the draft Local Policies Plan.

Proposed by Alderman Campbell  
Seconded by Councillor Webb and unanimously agreed

**that the report be noted.**

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

### **ITEM 3.17**

#### **P/PLAN/1 NORTHERN IRELAND AUDIT OFFICE (NIAO) PLANNING FRAUD RISKS GUIDE**

The Northern Ireland Audit Office published a short Guide on Planning Fraud Risks on 1 March 2023. The purpose of the Guide (circulated) was to raise awareness across Local Government in Northern Ireland about what planning fraud might look like, the conditions that might give rise to planning fraud risks, and the controls that can be put in place to combat the risks. It is relevant for Councillors, Planning Committee Members and Officers within organisations who are involved in any way, no matter how small, in the planning process.

The Guide would also be useful for auditors reviewing planning arrangements, helping them to see the warning signs (or "red flags") of potential fraud. Internal audit in organisations have a key role in providing assurance over the design and operation of the controls put in place by management across the planning process, therefore the Deputy Director is currently engaging with the internal audit and legal teams to ensure awareness and put the necessary training in place for staff.

Proposed by Alderman Campbell  
Seconded by Councillor Webb and unanimously agreed

**that the report be noted.**

*ACTION BY: Stephanie Boyd, Planning and Economic Development Business Support Supervisor*

### **ITEM 3.18**

#### **P/PLAN/1 DEPARTMENT FOR INFRASTRUCTURE (DfI) CORRESPONDENCE - CANCELLATION OF QUARTER 3 2022/23 PLANNING STATISTICS**

Correspondence (circulated) had been received from the Department for Infrastructure, Analysis, Statistics and Research Branch (ASRB) advising it has been necessary to withdraw the publication of Quarter 3 2022/23 Planning Statistics which were planned for publication in late March 2023. This is to allow more time to fully develop the data extracts from the new Planning Portal that provide the ASRB within the DfI the necessary information to produce the quarterly statistics.

At present DfI ASRB plan to publish the 2022/23 Annual Planning Statistics Report in June/July 2023, at which point specific information relating to all unique quarters within the year will be available from the accompanying excel tables.

Further updates will be provided as work progresses.

Proposed by Alderman Campbell  
Seconded by Councillor Webb and unanimously agreed

**that the report be noted.**

*ACTION BY: Stephanie Boyd, Planning and Economic Development Business Support Supervisor*

### **ITEM 3.19**

#### **P/FP/LDP/6 ENGAGEMENT WITH DEPARTMENT FOR INFRASTRUCTURE (DfI) STRATEGIC PLANNING DIVISION, PLANNING IMPROVEMENT WORKSHOP**

Members were reminded that a report was presented to last month's Planning Committee regarding correspondence received from The Department for Infrastructure (DfI) and the approach to the Planning Improvement Programme (PIP). The report contained a number of recommendations including one that the Department and Councils work in partnership to review current Local Development Plan (LDP) timetables to ensure they are realistic and achievable, and to identify what support Councils need to fulfil these recommendations.

A meeting of the Local Development Plan Working Group (DPWG) took place on 23 February 2023 at the ecosHUB Centre, Ballymena hosted by Mid and East Antrim Borough Council. Attended by Senior representatives from DfI's Strategic Planning Directorate and each Council's Forward Planning team, the meeting set out the suggested joint approach to the PIP LDP work streams to include: (1) necessary reporting mechanisms, (2) a work programme, and (3) actions/owners and timelines, a copy of the DfI presentation was circulated.

Officers from the Council's Forward Planning team would continue to engage with DfI Strategic Planning Division regarding the LDP PIP, and a range of actions would be presented to Members for consideration in due course.

Proposed by Alderman Campbell  
Seconded by Councillor Webb and unanimously agreed

**that the report be noted.**

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

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

Proposed by Councillor Flanagan  
Seconded by Councillor Bennington 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 3.20**

#### **IN CONFIDENCE G/LEG/084 & P/PLAN/1 PLANNING PROTOCOL AND SCHEME OF DELEGATION**

Members were reminded that the Scheme of Delegation and Planning Protocol were being reviewed and updated. A copy of both draft revised documents were circulated for Members' consideration.

Under Regulation 9 of the Development Management Regulations, the Council could not adopt the Scheme of Delegation until it had been approved by the Department for Infrastructure. The Department would write to the Council indicating its approval of the Scheme of Delegation or to request amendments. On receipt of approval of the Scheme, the Council, under Regulation 10 of the Development Management Regulations must make a copy of the Scheme of Delegation available for inspection at its main offices and publish the document on its website. Councils may take additional steps to publicise their scheme should they consider it appropriate. In the event that the Department request amendments, Officers would then bring this matter forward for Elected Members' further consideration.

The amended Protocol was not required to be agreed by the Department.

Discussions took place in relation to the Planning Protocol and Members raised a number of queries.

Proposed by Councillor Webb

Seconded by Councillor Flanagan and unanimously agreed

**that the item be deferred to allow Officers to consider issues raised regarding the Planning Protocol.**

*ACTION BY: Sharon Mossman, Deputy Director of Planning*

## **PART ONE DECISIONS ON ENFORCEMENT CASES – IN CONFIDENCE**

### **ITEM 3.21 ENFORCEMENT CASE: LA03/2020/0264/CA**

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Sharon Mossman, Deputy Director of Planning, introduced the Enforcement Report to the Committee and made a recommendation that that enforcement action be

progressed in this case as outlined in the report with the detail of this delegated to appointed Officers.

Proposed by Councillor Webb

Seconded by Councillor Magill and unanimously agreed

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

*ACTION BY: Sharon Mossman, Deputy Director of Planning*

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

Proposed by Councillor Archibald-Brown

Seconded by Councillor Flanagan and agreed

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

**The Chairperson advised that audio recording would recommence.**

There being no further Committee business the Chairperson thanked Members, Officers and IT staff for their attendance and the meeting concluded at 7.50pm.

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**MAYOR**