



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE
HELD IN MOSSLEY MILL ON MONDAY 23 JANUARY 2017 AT 6.30 PM**

In the Chair	: Alderman F Agnew
Committee Members Present	: Aldermen - T Campbell, J Smyth and R Swann Councillors - T Beatty, J Bingham, H Cushinan, B Duffin, T Hogg, D Hollis, S Ross and B Webb
Non-Committee Members Present	: Councillors – N Kelly, R Lynch, V McWilliam, D Arthurs
In Attendance	: Mr Conor Hughes - Public Speaker Ms J Burnside - Public Speaker Mr R Wilson - Public Speaker Mr A Hyde - Public Speaker
Officers Present	: Chief Executive - Mrs J Dixon Director of Community Planning & Regeneration - Ms M McAlister Head of Planning - Mr J Linden Principal Planning Officer - Mr B Diamond Planning Officer – Mr M O'Reilly Media & Marketing Officer - Ms J McIntyre Legal Advisor - Mr P Casey Systems Support Officer - Mr A Cole Member Services Officer - Mrs D Hynes

CHAIRMAN'S REMARKS

The Chairman welcomed Committee Members to the monthly Planning Committee Meeting and reminded all present of the protocol for speaking and timeframes accorded.

1 APOLOGIES

Councillor T Hogg

2 DECLARATIONS OF INTEREST

PART ONE - PLANNING APPLICATIONS AND RELATED DEVELOPMENT MANAGEMENT AND ENFORCEMENT ISSUES

ITEM 3.1 APPLICATION NO: LA03/2015/0243/O

PROPOSAL:	Proposed demolition of existing buildings to facilitate the regeneration of the former Nortel Factory and adjacent zoned residential lands to provide mixed use development comprising housing, foodstore, business units (B1a, B1b, B1c and B2) to include office, research and development, call centre, light industry, new and upgraded accesses onto Monkstown/Doagh Road and all site and access works.
SITE/LOCATION:	Former Nortel site and adjacent vacant lands at 229-333 Monkstown Industrial Estate, Doagh Road, Newtownabbey
APPLICANT:	McLagan Investments LTD & Economic Properties LTD

The Chairman advised Members that this application had been withdrawn by the applicant.

ITEM 3.2 APPLICATION NO: LA03/2015/0249/F

PROPOSAL:	Erection of 23 wheelchair accessible complex needs bungalows, staff accommodation and ancillary office, communal unit, landscaping, car parking, associated site works and access arrangements from Abbey Road, Muckamore
SITE/LOCATION:	Lands immediately north of 16 Abbey Road and west of 8 Abbey Gardens, Muckamore, Antrim
APPLICANT:	Triangle Housing Association Ltd

Barry Diamond, Principal Planning Officer, advised that amended plans had been received since the Planning Report was circulated to the Committee and indicated that following re-consultation these may form the basis for a reconsidered recommendation to be made. In these circumstances he recommended that a further deferral might be the best way forward in this case.

Proposed by Alderman T Campbell
Seconded by Councillor Ross and unanimously agreed

That the application be deferred to allow the amended scheme submitted prior to the Committee meeting to be consulted upon and for Officers to present an updated report on the revised scheme to Committee for further consideration.

ACTION BY: John Linden

ITEM 3.3 APPLICATION NO: LA03/2016/0811/F

PROPOSAL: Erection of 3 no. detached dwellings

SITE/LOCATION: Junction of Greystone Road and Ash Green 50m north of 25 Greystone Road Antrim.

APPLICANT: Damien Heffron

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

ITEM 3.4 APPLICATION NO: LA03/2016/0412/F

PROPOSAL: 1½ storey side extension to dwelling to allow bedroom upstairs and one downstairs

SITE/LOCATION: 15 Victoria Close, Ballyclare

APPLICANT: Mr & Mrs Woods

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

There were no public speakers to address this item.

Proposed by Councillor Bingham
Seconded by Councillor Beatty and unanimously agreed

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

ACTION BY: John Linden

ITEM 3.5 APPLICATION NO: LA03/2016/0989/O

PROPOSAL:	New dwelling and garage accessed from existing private lane off the Derryhollagh Road
SITE/LOCATION:	Infill site immediately West of 35A Derryhollagh Road, Randalstown
APPLICANT:	Mr Robert Wilson

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

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

- Councillor R Lynch
- Jane Burnside
- Robert Wilson

Proposed by Alderman R Swann

Seconded by Councillor Cushinan and unanimously agreed

That outline planning permission be granted.

The reason for the decision contrary to the Officer recommendation was that Members considered the provisions of Policy CTY 8 of PPS 21 to be somewhat ambiguous regarding situations where there is a laneway off a public road providing access to a number of buildings.

As a consequence Members accepted the applicant's contention in this case that the last building served by the laneway in question should be included as a building fronting onto the laneway and as such considered the site in question constituted an acceptable infill site within the terms of the policy. This matter was afforded determining weight in granting outline permission.

Proposed by Councillor Duffin

Seconded by Councillor Cushinan and unanimously agreed

that the planning permission granted for this infill dwelling be subject to a range of conditions. The conditions the precise detail of which was delegated to Officers, should provide for a dwelling with a maximum ridge height of 6.5m and make provision for any standard or technical matters arising such as access and landscaping.

ACTION BY: John Linden

As a consequence of this decision the Head of Planning, John Linden, confirmed to Members, for the purposes of future interpretation of the current policy in other similar

situations, that the last building accessing onto a rural laneway would be included in the assessment of proposed infill development by the Planning Section under Policy CTY 8. He indicated this interpretation would apply with immediate effect pending the provision of local policy through the new Local Development Plan.

ACTION BY: John Linden

ITEM 3.6 APPLICATION NO: LA03/2016/1016/F

PROPOSAL: Conversion of garage (retrospective) to provide self-catering accommodation

SITE/LOCATION: 70A Tildarg Road, Kells, Ballymena, BT42 3NY

APPLICANT: Mr & Mrs Taylor

Michael O'Reilly, 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 Alderman T Campbell
Seconded by Councillor Beatty and

on the proposal being put to the meeting 10 Members voted in favour, 1 against and 0 abstentions, it was 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 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement.**
- 2. The proposal is contrary to the provisions of the Strategic Planning Policy Statement relating to the conversion and re-use of existing buildings in the countryside for residential use in that the building to be converted is not considered to be a locally important building.**
- 3. The proposal is contrary to the provisions of Policy TSM5 of PPS16 in that the use of the building for self-catering accommodation in the countryside does not meet with any of the identified circumstances for such a development stipulated in the policy.**

ACTION BY: John Linden

Councillor V McWilliam and Councillor R Lynch left at this point of the meeting.

ITEM 3.7 APPLICATION NO: LA03/2016/0560/A

PROPOSAL:	Aluminium plastic composite signage on steel frame (business entrance sign) – Existing
SITE/LOCATION:	10 Crooked Stone Road, Nutts Corner, Crumlin, BT29 4EH
APPLICANT:	A Hyde Farm Feeds

Barry Diamond, Principal Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse advertisement consent

The undernoted Public Speaker addressed the Committee and responded to enquiries from Members as requested -

- Mr A Hyde

Proposed by Alderman T Campbell
Seconded by Councillor Duffin and

on the proposal being put to the meeting 5 Members voted in favour, 5 against and 1 abstention

The Chairman used his casting vote in favour and declared the proposal carried, it was agreed

that advertisement consent be refused for the following reason:

- 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy AD 1 of Planning Policy Statement 17: Control of Outdoor Advertisements, in that the proposed signage would result in an unacceptable detrimental impact on visual amenity of the area and will be overly dominant in the area.**

ACTION BY: John Linden

Councillor Webb withdrew from the meeting having declared an interest in the next item 3.8.

ITEM 3.8 APPLICATION NO: LA03/2016/1027/F

PROPOSAL:	Provision of community allotments, car park and new vehicular access.
SITE/LOCATION:	Open space area adjacent to Knockenagh Avenue and Knockane Way, Rathfern, Newtownabbey
APPLICANT:	Antrim and Newtownabbey Borough Council

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

There were no public speakers to address this item.

Proposed by Councillor Ross

Seconded by Councillor Duffin and unanimously agreed

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

ACTION BY: John Linden

ITEM 3.9 APPLICATION NO: LA03/2016/1096/F

PROPOSAL: Proposed renovation works to front entrance

SITE/LOCATION: Ballyearl Arts & Leisure Centre, 585 Doagh Road,
Newtownabbey

APPLICANT: Antrim and Newtownabbey Borough Council

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

There were no public speakers to address this item.

Proposed by Councillor Beatty

Seconded by Councillor Bingham and

on the proposal being put to the meeting 10 Members voted in favour, 1 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.

ACTION BY: John Linden

Councillor Hollis enquired as to when the temporary signage at the Ballyearl Leisure Centre would be moved. The Director of Community Planning & Regeneration confirmed she would refer this matter to the Director of Operations.

ACTION BY: Majella McAlister/Geraldine Girvan, Director of Operations

ITEM 3.10 APPLICATION NO: LA03/2016/1095/A

PROPOSAL: Building sign

SITE/LOCATION: Ballyearl Arts & Leisure Centre, 585 Doagh Road,
Newtownabbey,

APPLICANT: Antrim and Newtownabbey Borough Council

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

There were no public speakers to address this item.

Proposed by Councillor Bingham
Seconded by Councillor Beatty and

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

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

ACTION BY: John Linden

PART 2 FORWARD PLANNING MATTERS - LOCAL DEVELOPMENT PLAN, PLANNING POLICY AND CONSERVATION

OTHER PLANNING MATTERS

ITEM 3.11

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

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

PAN Reference:	LA03/2016/1077/PAN
Proposal:	Proposed amended restoration of Ballyduff Landfill to provide community woodland (amendment to that permitted under U/2006/0700/F), including re-profiling works to create a more graduated slope. Vehicular access to the site to be stopped following completion of re-profiling works.
Location:	Ballyduff Landfill Site, Ballyduff Road, Newtownabbey BT36 6QX
Applicant:	Anderson Haulage Limited
Date Received:	2 December 2016
12 week expiry:	24 February 2017

Members recalled that under Section 27 of the 2011 Planning Act obligations were 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 was submitted this must be accompanied by a Pre-Application Community consultation report outlining what consultation had been undertaken regarding the application and detailing how this had influenced the proposal submitted.

Proposed by Councillor Ross
Seconded by Councillor Beatty and unanimously agreed that

the report be noted.

ACTION BY: John Linden

ITEM 3.12

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during December 2016 under delegated powers was circulated for Members attention together with information received this month on planning appeals.

Proposed by Councillor Bingham

Seconded by Councillor Beatty and unanimously agreed that

the report be noted.

ACTION BY: John Linden

ITEM 3.13

P/PLAN/1 - NORTHERN IRELAND PLANNING STATISTICS 2016/17 – SECOND QUARTERLY BULLETIN FOR THE PERIOD JULY – SEPTEMBER 2016

The second quarterly provisional planning statistics for 2016/17 produced by the Analysis, Statistics and Research Branch of the Department for Infrastructure (DfI), a copy of which was circulated, were released on 15 December 2016.

The figures showed that during the second quarter period from July to September 2016, the total number of planning applications received in Northern Ireland was 3,058, a decrease of some 11.0% over the previous quarter but up 5% on the same quarter in 2015/16. The total number of decisions issued during this period was 3,324.

During this second quarter period a total of 199 new applications were received by Antrim and Newtownabbey Borough Council (which equates to an increase of some 20% over the same period last year and therefore ahead of the NI trend) and 195 decisions were issued.

In relation to performance against statutory targets the Department for Infrastructure (DfI) figures showed that the Council took on average 74.7 weeks to process and decide **Major** planning applications during the second quarter against the target of 30 weeks. While this performance continues to reflect a decline from last year's performance and now ranks seventh out of the 11 Councils, it nevertheless still reflects reasonably well against the average processing time of 73.6 weeks across all Councils. Members noted that these statistics related to quite small numbers of applications (some 6 applications this quarter) which can cause considerable quarterly variation in performance. In addition, and as previously reported at the October Committee, the Planning Section was seeking to reduce the number of backlog applications greater than 12 months old and this was also impacting on average processing times for Major applications this year.

The DfI figures showed that the Council took on average 13.2 weeks to process and decide **Local** planning applications during the second quarter against the target of 15

weeks. This performance ranked third out of the 11 Councils and again reflected well against the average processing time of some 16 weeks across all Councils.

In relation to enforcement the DfI figures highlighted that the Council's planning enforcement team during the second quarter recorded the shortest time taken, 12 weeks, to process 70% of enforcement cases to target conclusion. This compared very favourably against both the performance target of 39 weeks and the average processing time of 23.6 weeks across all Councils.

Proposed by Councillor Beatty

Seconded by Councillor Duffin and unanimously agreed that

the report be noted

ACTION BY: John Linden

ITEM 3.14

P/PLAN/8 - NOTIFICATION BY THE DEPARTMENT FOR INFRASTRUCTURE OF A PROPOSAL OF APPLICATION NOTICE FOR AN APPLICATION OF REGIONAL SIGNIFICANCE IN RELATION TO SAND EXTRACTION AT LOUGH NEAGH

The Department for infrastructure had written to the Council in accordance with Regulation 5 of the Planning (Development Management) Regulations (NI) 2015 (a copy of which was circulated) to advise that it had received a Proposal of Application Notice (PAN) for the following development of regional significance.

PAN Reference:	LA03/2016/1097/PAN
Proposal:	Extraction, transportation and working of sand and gravel from Lough Neagh.
Location:	Lough Neagh
Applicant:	Lough Neagh Sand Traders Ltd
Date Received:	7 December 2016
12 week expiry:	1 March 2017

Members recalled that it was reported to the December 2016 Planning Committee meeting that the Department had confirmed to the agent, under the provisions of Section 26 of the 2011 Planning Act, that any planning application for this development proposal should be submitted directly to the Department for determination as it was considered to be a proposal of Regional Significance.

As with Major Developments submitted to the Council, obligations are placed on the prospective developer under Section 27 of the 2011 Planning Act to consult the community in advance of submitting a planning application of Regional Significance. 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.

The PAN submitted to DfI indicated that a Public Information Event was scheduled to be held in the White River House Hotel on 26 January 2017.

In addition it was noted that the PAN and accompanying map indicated that the area proposed for extraction of sand and gravel from the Lough was at this stage located solely within the Mid-Ulster District Council area.

Proposed by Councillor Duffin

Seconded by Councillor J Bingham and unanimously agreed that

the report be noted.

ACTION BY: John Linden

ITEM 3.15

P/PLAN/1

CONSULTATION ON PERMITTED DEVELOPMENT RIGHTS FOR MINERAL EXPLORATION

The Department for Infrastructure (DfI) had recently written to the Council (a copy of which was circulated) to advise that it had issued a consultation paper on proposals to amend development rights in respect of mineral exploration, including removing permitted development rights for petroleum exploration from Class A of Part 16 of the Schedule to the Planning (General Permitted Development) Order (Northern Ireland) 2015.

This consultation followed on from a 'Call for Evidence' issued by the Department in March 2016 which sought to gather views on whether the existing development rights for onshore oil and gas exploration needed to be changed and which was reported to the April 2016 Planning Committee meeting.

The current consultation was seeking views on DfI's proposals for amending permitted development rights, including the removal of permitted development rights for petroleum exploration.

Copies of the Consultation Paper may be downloaded from the Planning Portal at www.planningni.gov.uk or the DfI website at www.infrastructure-ni.gov.uk and the closing date for response is **3 February 2017**.

Proposed by Alderman J Smyth

Seconded by Councillor Duffin and unanimously agreed that

Members respond on an individual or party basis.

ACTION BY: John Linden

ITEM 3.16

P/PLAN/1

CONSULTATION ON AMENDMENT TO THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS

The Department for Infrastructure (DfI) had recently written to the Council (a copy of which was circulated) to advise that it had issued a consultation paper on proposals to amend the Planning (Environmental Impact Assessment) Regulations (NI) 2015.

The purpose of the consultation was to obtain views on the Department's proposals for transposing and implementing European Directive 2014/52/EU, amending Directive 2011/92/EU on the effects of certain public and private projects on the environment, commonly referred to as the EIA Directive.

Copies of the Consultation Paper may be downloaded from the Planning Portal at www.planningni.gov.uk or the DfI website at www.infrastructure-ni.gov.uk and the closing date for response is **9 February 2017**.

Proposed by Councillor Bingham

Seconded by Alderman J Smyth and unanimously agreed that

Members respond on an individual or party basis.

ACTION BY: John Linden

ITEM 3.17

P/FP/LDP/3 – REPORTS ACCOMPANYING THE PREFERRED OPTIONS PAPER

A copy of the Sustainability Appraisal Interim Report, Interim Progress Report on Equality and Screening for Habitats Regulations Assessment Report had been circulated to all Members and as agreed at the December 2016 Planning Committee retrospective approval was now being sought for these documents.

Proposed by Councillor Beatty

Seconded by Councillor Duffin and unanimously agreed that

Members agree to retrospectively approve the Sustainability Appraisal Interim Report, Equality Impact Interim Progress Report and the Screening for Habitats Regulations Assessment Report.

ACTION BY: John Linden

ITEM 3.18

P/FP/LDP/55 - CONSULTATION BY MID ULSTER DISTRICT COUNCIL

Mid Ulster District Council had written to announce the publication of their Preferred Options Paper (POP) relating to the Mid Ulster Local Development Plan 2030, and to invite any comments with regard to the document (letter circulated).

The Preferred Options Paper identified key strategic planning issues with specific regard to Mid Ulster District Council, and set out that Council's preferred options for dealing with each issue. Comments made in relation to this POP would be taken into account in the preparation of the Mid Ulster Local Development Plan 2030.

Whilst the POP addressed key strategic planning issues in common with this Council, such as economic development, housing, and town centres and retailing, the detailed consideration of each and identification of proposed options or approaches were specific to Mid Ulster District Council.

Of particular relevance to Antrim and Newtownabbey were those issues that were likely to impact upon our common boundary. These related primarily to the protection of the environment through proposed designations in the vicinity of Lough Neagh, Lough Beg, and River Bann, and an envisaged transportation and connectivity strategy for Mid Ulster that could potentially influence the shape of future development within our Borough.

It was intended that Officers from the Council's Forward Planning Section, which was taking forward work on the new Local Development Plan for the Borough, would issue a response to this consultation with regard to Mid Ulster District Council's Preferred Options Paper.

Proposed by Councillor Duffin

Seconded by Alderman J Smyth and unanimously agreed that

the report be noted

ACTION BY: John Linden

ITEM 3.19

DATA SHARING AGREEMENTS FOR LOCAL DEVELOPMENT PLAN PREPARATION

The Planning Act (NI) 2011 set out the general requirements for preparing the Council's Local Development. Section 3 of the Act – Survey of District – required a Council to keep under review the matters which may be expected to affect the development of its district or the planning of that development. Those matters included the principal physical, economic, social and environmental characteristics as well as population, communications, transport and traffic.

Survey information and research was essential to build the evidence base required to inform the plan preparation process. The Planning Section therefore required spatial

data from a variety of external organisations such as Land and Property Services, Water NI, SONI, gas and telecommunication companies.

Initial data requirements include:-

Data	Data Provider
Enhanced property data	Land and Property Services
Utilities information	Water NI
	NIE
	Firmus Energy
	Phoenix Natural Gas
	BT
	Virgin Media
Land use information	Forest Service

To gather this information from these organisations generally required the completion of a data sharing agreement. The Head of Planning was therefore seeking approval that authority to sign such agreements be delegated to Officers and would advise that the Committee would subsequently be notified of any data sharing agreements that are signed by officers on behalf of the Council.

Proposed by Councillor Beatty

Seconded by Councillor Duffin and unanimously agreed that

authority to sign data sharing agreements for spatial information that would help inform the Council's Local Development Plan be delegated to the Head of Planning.

ACTION BY: John Linden

There being no further Committee business under Part 2 of the agenda the Chairman thanked everyone for their attendance and the meeting concluded at 7.50pm.

MAYOR

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

