



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE
HELD IN MOSSLEY MILL ON MONDAY 16 AUGUST 2021 AT 6.00 PM**

- In the Chair** : Councillor S Flanagan
- Committee Members Present** : Aldermen - F Agnew, T Campbell, P Brett and J Smyth
Councillors - J Archibald-Brown, H Cushinan, R Lynch, M Magill, N Ramsay and B Webb
- Non-Committee Members Present** : Alderman T Burns
Councillors – A McAuley, V McWilliam and J Montgomery
- Public Speakers** :
- | | |
|-------------------------|---------------------------------|
| Fiona Laughlin | In Objection (Item 3.1) |
| Seamus Reid | In Support (Applicant Item 3.1) |
| Alderman T Burns | In Objection (Item 3.2) |
| Raymond Collins | In Objection (Item 3.2) |
| Paula de Meulmeester | In Objection (Item 3.2) |
| Raymond Mairs | In Objection (Agent Item 3.2) |
| Councillor A McAuley | In Support (Item 3.6) |
| Michael Davis | In Support (Applicant Item 3.6) |
| Conor McKenna | In Support (Agent Item 3.6) |
| Councillor J Montgomery | In Support (Item 3.8) |
| Lisa Fong | In Support (Applicant Item 3.8) |
- Officers Present** : Deputy Chief Executive of Economic Growth - M McAlister
Deputy Director of Planning (Interim) - S Mossman
Legal Services Officer (Solicitor) – E Keenan
Principal Planning Officer - B Diamond
Principal Planning Officer (Interim) – S Thompson
Senior Planning Officer - J McKendry
ICT Change Officer – A Cole
ICT Helpdesk Officer - D Mason
Member Services Officer - S Boyd

CHAIRPERSON'S REMARKS

The Chairperson welcomed Committee Members to the August Planning Committee Meeting. The Chairperson 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 physically attend the Planning Committee meeting. The public and the press can access those parts of the meeting which

they are entitled to attend via livestream (a link to which is on the Council website). The meeting minutes and audio recording will be published on the Council's website.

The Chairperson advised Members that an Addendum report relating to Item 3.7 and the Site Visit Report had been circulated to Members with hard copies being made available in the Chamber and that Items 3.5 and 3.9 had been withdrawn by the applicants.

The Chairperson welcomed Sharon Mossman to her first Planning Committee Meeting as Deputy Director of Planning (Interim) and wished the Vice Chairperson, Alderman Agnew, a happy birthday.

The Legal Services Officer (Solicitor), Elaine Keenan, reminded Members about a number of issues in relation to their role as Members of the Planning Committee and their obligations under the Code of Conduct.

1 APOLOGIES

Councillor R Swann
Chief Executive J Dixon
Borough Lawyer and Head of Legal Services P Casey

2 DECLARATIONS OF INTEREST

None

PART ONE PLANNING APPLICATIONS

ITEM 3.1 APPLICATION NO: LA03/2020/0030/F

PROPOSAL:	Two detached dwellings
SITE/LOCATION:	Adjacent to 740 Antrim Road, Templepatrick
APPLICANT:	The Reid Family c/o Reid Black Solicitors

Barry Diamond, Principal 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 –

Fiona Laughlin	In Objection
Seamus Reid	In Support (Applicant)

Proposed by Alderman Campbell
Seconded by Alderman Smyth 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 reason:

- 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy OS 1 of Planning Policy Statement 8 'Open Space, Sport and Outdoor Recreation' in that the proposed development will result in the unacceptable loss of open space and therefore adversely affect the environmental quality and character of the existing housing development at this location.**

ACTION BY: Sharon Mossman, Deputy Director of Planning (Interim)

ITEM 3.2 APPLICATION NO: LA03/2020/0202/F

PROPOSAL:	Proposed rounding off to Glenoak Grange Meadows to include 2 no. detached dwellings and detached garages
SITE/LOCATION:	Lands 40m NE of No. 1 and 20m South of No. 5 Glenoak Grange Close, Crumlin
APPLICANT:	Aqua Developments Ltd

Barry Diamond, Principal 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 –

Alderman T Burns	In Objection
Raymond Collins	In Objection
Paula De Meulmeester	In Objection
Raymond Mairs	In Support (Agent)

Proposed by Councillor Webb

Seconded by Alderman Smyth and unanimously agreed

that planning permission be refused for the following reason:

- 1. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy AMP 2 of PPS 3 and Policy QD 1 of PPS 7, in that the development, if permitted, would result in overdevelopment with additional traffic accessing onto the existing shared service road which is considered detrimental to road safety.**

ACTION BY: Sharon Mossman, Deputy Director of Planning (Interim)

Alderman Brett left the Chamber and was therefore unable to vote on the following Item.

ITEM 3.3 APPLICATION NO: LA03/2021/0203/O

PROPOSAL: Site for 2 no. infill dwellings
SITE/LOCATION: Between 9 and 15 Farranflugh Lane, Randalstown
APPLICANT: Alison Gilmore

Barry Diamond, Principal 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 Archibald-Brown
Seconded by Councillor Webb and 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 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 and it fails to meet with the provisions for an infill dwelling in accordance with CTY8 of PPS21.**
- 2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 and CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that two dwellings on this site would, if permitted, create a build-up of development in this area and add to a ribbon of development that will result in a detrimental change to, and erode, the rural character of the countryside.**
- 3. The proposal is contrary to the Strategic Planning Policy Statement for Northern Ireland and Planning Policy Statement 2: Natural Heritage, Policies NH 2 & NH5 as it has not been demonstrated that the proposed development will not have an unacceptable adverse impact on bats.**

ACTION BY: Sharon Mossman, Deputy Director of Planning (Interim)

Alderman Brett returned to the Chamber.

ITEM 3.4 APPLICATION NO: LA03/2021/0013/F

PROPOSAL:	New right hand turning lane to provide access into the previously approved Crematorium development (planning ref LA03/2018/0091/RM) and associated proposed right hand turning lane providing access into Ballyearl Arts & Leisure Centre
SITE/LOCATION:	Lands 70 metres southwest of No. 585 Doagh Road, Newtownabbey, BT36 5RZ
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 Alderman Smyth
Seconded by Councillor Lynch and 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 (Interim)

ITEM 3.5 APPLICATION NO: LA03/2020/0825/O

PROPOSAL:	Site for replacement dwelling
SITE/LOCATION:	80m North of 8 Station Road, Aldergrove, Crumlin, BT29 4DA
APPLICANT:	Mr & Mrs Brady

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

ACTION BY: Sharon Mossman, Deputy Director of Planning (Interim)

ITEM 3.6 APPLICATION NO: LA03/2021/0190/F

PROPOSAL:	Proposed conversion and reuse of existing pressure tank and service building into a single dwelling
SITE/LOCATION:	60m West of 106a Boghill Road Templepatrick
APPLICANT:	Michael Davis

Johanne McKendry, 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 A McAuley	In Support
Michael Davis	In Support (Applicant)
Conor McKenna	In Support (Agent)

Proposed by Alderman Brett

Seconded by Alderman Campbell that planning permission be refused

on the proposal being put to the meeting 8 Members voted in favour, 2 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 CTY4 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the structures on the application site are not eligible for conversion and it has not been demonstrated that they are a locally important building.**

ACTION BY: Sharon Mossman, Deputy Director of Planning (Interim)

Alderman Campbell and Councillor Magill left the Chamber.

ITEM 3.7 APPLICATION NO: LA03/2021/0376/F

PROPOSAL:	Two storey rear/side extension to provide living room, master bedroom, ensuite, dressing room & porch
SITE/LOCATION:	7 Mill House Avenue, Antrim, BT41 2UZ
APPLICANT:	Mr & Mrs Dean McKeivitt

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

There were no public speakers to address this item.

Proposed by Alderman Brett

Seconded by Councillor Cushinan and unanimously agreed

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

ACTION BY: Sharon Mossman, Deputy Director of Planning (Interim)

Councillor Magill returned to the Chamber during the following Item and was therefore unable to vote.

ITEM 3.8 APPLICATION NO: LA03/2021/0088/F

PROPOSAL:	Additional timber boarded fence to the existing boundary wall (Retrospective)
SITE/LOCATION:	62 Ferrard Meadow, Antrim
APPLICANT:	Hin Fung Kwok

Simon Thompson, Principal Planning Officer (Interim), introduced the Planning Report to the Committee and made a recommendation to refuse planning permission.

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

Councillor J Montgomery	In Support
Lisa Fong	In Support (Applicant)

A proposal by Councillor Ramsay that the fence be adjusted to suit Planning Officers requirements was not seconded.

Proposed by Alderman Brett

Seconded by Councillor Webb that planning permission be refused

on the proposal being put to the meeting 6 Members voted in favour, 2 against and 1 abstention, 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 for Northern Ireland and Policy EXT 1 of Addendum to Planning Policy Statement 7 “Residential Extensions and Alterations” in that if the development were approved, it would detract from the appearance and character of the site and surrounding area by way of scale, massing, design and inappropriate use of materials.**

ACTION BY: Sharon Mossman, Deputy Director of Planning (Interim)

ITEM 3.9 APPLICATION NO: LA03/2021/0164/O

PROPOSAL:	Dwelling and garage (on a farm)
SITE/LOCATION:	Approx. 100m South of 42 Shore Road, Toomebridge
APPLICANT:	Mr Francis McAuley

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

ACTION BY: Sharon Mossman, Deputy Director of Planning (Interim)

ITEM 3.10 APPLICATION NO: LA03/2021/0573/LBC

PROPOSAL:	Proposed installation of telecoms apparatus
SITE/LOCATION:	Ballyclare Townhall, The Square, Ballyclare, BT39 9BB
APPLICANT:	Antrim and Newtownabbey Borough Council

Simon Thompson, Principal Planning Officer (Interim), introduced the Planning Report to the Committee and made a recommendation to grant listed building consent.

There were no public speakers to address this item.

Proposed by Councillor Archibald-Brown
Seconded by Alderman Brett and unanimously agreed

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

ACTION BY: Sharon Mossman, Deputy Director of Planning (Interim)

PART TWO OTHER PLANNING MATTERS

ITEM 3.11

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during July 2021 under delegated powers together with information relating to planning appeals was circulated for Members' information.

Members noted that there were no planning appeal decisions for the Borough issued during July by the Planning Appeals Commission

Proposed by Councillor Magill
Seconded by Alderman Smyth and unanimously agreed

that the report be noted.

NO ACTION

ITEM 3.12

P/PLAN/063 PLANNING APPROVAL GRANTED BY THE DEPARTMENT FOR INFRASTRUCTURE FOR THE NORTHERN SECTION OF BALLYCLARE RELIEF ROAD AND ASSOCIATED WORKS

Members recalled that the Department for Infrastructure had previously written to the Council to advise that it had issued a Notice of Opinion that planning approval should be granted to the following application subject to a range of conditions and

seeking to ascertain whether the Council would be seeking a public hearing on the applications (reported to the Committee meeting held in May 2021).

Application Reference: LA03/2018/1116/RM

Proposal: Northern Section of Ballyclare Relief Road and Associated Works.

Location: Lands adjacent to the North West of Ballyclare including lands bounded by Cogry Road/Rashee Road north of Ross Avenue/Clare Heights and north east and west of Ballyclare Rugby Club.

Applicant: Ballyclare Developments Ltd

Full details of this application, including the application forms, relevant drawings, consultation responses and any representations received are available to view at the Planning Portal www.planningni.gov.uk

At its May meeting the Council noted the Department's Notice of Opinion and resolved not to seek a hearing on this application. Officers advised that the application was approved by the Department on 9 June 2021 (circulated).

This Reserved Matters approval is linked to a number of other applications that were /continue to be processed by the Department for Infrastructure regarding the ongoing development of lands to the West of Ballyclare including provision for the Ballyclare Relief Road.

Members were aware that a major residential development is currently underway on the area of land between the Templepatrick Road and Doagh Road and this includes delivery of the first stage, i.e. the southern section, of the Ballyclare Relief Road. The current application relates specifically to the construction details of the northern section of the Ballyclare Relief Road.

Proposed by Councillor Magill

Seconded by Alderman Smyth and unanimously agreed

that the report be noted.

NO ACTION

ITEM 3.13

P/PLAN/13 DEPARTMENT FOR INFRASTRUCTURE PLANNING ADVICE NOTE IMPLEMENTATION OF STRATEGIC PLANNING POLICY FOR DEVELOPMENT IN THE COUNTRYSIDE

The Minister for the Department for Infrastructure, Nicola Mallon has decided to bring forward a Planning Advice Note (PAN) on 'Implementation of Regional Planning Policy for Development in the Countryside'. The purpose of the PAN is to re-emphasise fundamental aspects of Strategic Planning Policy for Development in the Countryside, as contained in the SPPS and to clarify certain policy matters, such as for 'Integration and rural character'; 'Dwellings on farms'; 'Infill/ribbon development'; and, 'Dwellings in existing clusters'. The advice note does not add to or change existing policy or guidance.

Since the publication of the SPPS the Department issued a 'Call for Evidence' and commissioned independent consultants to undertake research on this policy area.

The overall aim of the research was to provide an updated evidential context to inform the best strategic planning policy approach for development in the countryside. Having carefully considered all of the relevant factors, including the consultants' report, the Minister was satisfied that the policy approach provided for by the SPPS remained appropriate, robust and was fit for purpose for the two tier planning system.

The Planning Advice Note (PAN) can be accessed using the following link:
www.infrastructure-ni.gov.uk/publications/PAN-countryside.

It was recommended that consideration be given to a discussion of the advice note at a workshop for Elected Members and that Dfl officers are invited to attend.

Proposed by Councillor Magill
Seconded by Alderman Smyth and unanimously agreed

that a workshop be held to include consideration of the advice note and that Dfl Officers are invited to attend.

ACTION BY: Sharon Mossman, Deputy Director of Planning (Interim)

ITEM 3.14

P/FP/LDP/53 LISBURN AND CASTLEREAGH CITY COUNCIL LOCAL DEVELOPMENT PLAN 2032, DRAFT PLAN STRATEGY SUBMITTED FOR INDEPENDENT EXAMINATION

Members were reminded that neighbouring Councils are one of the main statutory consultees within the Local Development Plan process, and that Members were previously advised in April 2021 that on 22 March 2021 Lisburn and Castlereagh City Council (LCCC) submitted its Draft Plan Strategy and associated documents to the Department for Infrastructure (DfI) for the purposes of causing an Independent Examination (IE) to be carried out.

The Council had now received notification from LCCC that DfI sought clarification from the Council on a number of matters related to its Draft Plan Strategy – a copy of the letter was circulated. In addition, on 9 July 2021, LCCC was notified by The Planning Appeals Commission (PAC) that it had received the formal notification from DfI that it is causing an IE.

As is the case with the Council's Draft Plan Strategy, whilst no dates for IE have been indicated by the PAC, all future relevant information will be made available on each Council's website and in due course, the PAC website: www.pacni.gov.uk

LCCC is the fourth Council to submit its Draft Plan Strategy to DfI, following Belfast City Council, Fermanagh and Omagh District Council and this Council.

Proposed by Councillor Magill
Seconded by Alderman Smyth and unanimously agreed

that the report be noted.

NO ACTION

4 Any Other Business

The Chairperson proposed a letter and small corporate gift be sent on behalf of the Members of the Planning Committee to the previous Head of Planning, John Linden in recognition of the significant contribution to Planning and Economic Development within the Borough.

Proposed by Councillor Archibald-Brown
Seconded by Councillor Magill and unanimously agreed

that a letter and small corporate gift be sent to the previous Head of Planning, John Linden, following his recent retirement from Council.

ACTION BY: Sharon Mossman, Deputy Director of Planning (Interim)

PROPOSAL TO PROCEED 'IN CONFIDENCE'

Proposed by Alderman Smyth
Seconded by Councillor Webb and unanimously 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 3.15 - IN CONFIDENCE

P/PLAN/34 PLANNING ENFORCEMENT REPORT 2020-2021 – QUARTER 4

The Northern Ireland Planning Statistics Q4 Statistical Bulletin was released on 1 July 2021 by the Department for Infrastructure's Analysis, Statistics and Research Branch. It includes information on the Council's performance on enforcement cases measured against the statutory performance targets set by Dfl.

The Quarter 4 report was circulated and in view of the sensitive nature of some of this information was presented in confidence.

The Dfl figures indicate that the Council closed some 208 cases during Quarter 4 with 92.5% of cases concluded within the statutory target of 39 weeks. 72 new cases were opened during the same period.

As Members were aware the work of the Planning Enforcement Section for much of last year was limited to priority cases due to the impact of the coronavirus. This resulted in a large number of reported enforcement cases being held in abeyance. However, since the start of the year extra resources have been directed towards the enforcement service as part of the overall Recovery Plan agreed by Members for the Planning Section.

The Dfl statistics indicate that at the end of Quarter 4 that there were 262 live enforcement cases in the Borough. Whilst this remains high compared to an average

of some 125 live cases throughout 2019-20 i.e. prior to the impact of coronavirus, it is a significant reduction of some 130 cases over the live case list recorded at the end of Quarter 3 and demonstrates the commitment of the enforcement team to recovery

In addition, Officers can report that between April and June 2021 some 83 new Enforcement cases were opened, whilst during the same period some 102 cases were concluded. In absolute terms the number of live cases is therefore estimated at end of June to have reduced again from the 262 recorded at end of Quarter 4 and now stands at around 220.

Proposed by Alderman Smyth

Seconded by Councillor Webb and unanimously agreed

that the report be noted.

NO ACTION

ITEM 3.16 – IN CONFIDENCE

P/PLAN/13 PROTOCOL FOR THE OPERATION OF THE ANTRIM AND NEWTOWNABBEY PLANNING COMMITTEE, SCHEME OF DELEGATION

Members were reminded that the Council's current Protocol for the Operation of the Planning Committee includes a 'Scheme of Delegation: Delegation of Planning Applications, Enforcement and other Planning Matters' (Revised December 2020).

As part of the review of the Council's planning function and development management process by PSM Associates, it has been proposed that consideration be given to a review of the Council's current Planning Committee, Scheme of Delegation. In particular, consideration to be given to the possibility of removing or reducing the requirement to refer a delegated planning application to the Planning Committee, as currently defined in Part B (Delegated Planning Applications), (d) and (e) i.e. this would include the level of objections and applications recommended for refusal. It is proposed that this will result in a more efficient determination of planning applications and assist in the economic recovery of Borough from the coronavirus (COVID-19) pandemic.

In addition, the current Planning Committee Scheme of Delegation has no delegated powers in relation to the Council's Local Development Plan (LDP) function. In advance of the forthcoming Independent Examination (IE) of the Council's LDP Draft Plan Strategy, to be held by the Planning Appeals Commission (PAC), Officers consider that it may be useful to have some delegated powers for minor decision making during the IE, with other matters being referred back to the Council through an agreed mechanism for consideration, for example, a Special Committee meeting, as may be required.

In order to discuss these matters in further detail with Members it is proposed that a workshop is facilitated by Wavell Moore of PSM Associates and Senior Officers, regarding the opportunity to review and refresh the Council's current Planning Committee Scheme of Delegation.

Proposed by Councillor Webb
Seconded by Councillor Smyth and unanimously agreed

that a workshop as outlined be arranged to review the Scheme of Delegation.

ACTION BY: Sharon Mossman, Deputy Director of Planning (Interim)

PROPOSAL TO MOVE OUT OF 'IN CONFIDENCE'

Proposed by Councillor Lynch
Seconded by Councillor Magill and unanimously 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, for their attendance and the meeting concluded at 7.40 pm.

MAYOR