



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE
HELD IN MOSSLEY MILL ON WEDNESDAY 23 APRIL 2025 AT 6.00 PM**

- In the Chair** : Councillor J Archibald-Brown
- Committee Members Present (In Person)** : Aldermen - T Campbell and M Magill
Councillors – A Bennington, S Cosgrove, R Kinnear and B Webb
- Committee Members Present (Remotely)** : Councillors – S Flanagan, AM Logue and R Lynch
- Non-Committee Members Present (In Person)** : Councillor P Dunlop
- Public Speakers** : Kevin McCann In Objection (Item 3.2)
Goretti McCann In Objection (Item 3.2)
Paul Creagh In Support (Item 3.2)
Councillor Paul Dunlop In Support (Item 3.3)
Roy Butler In Support (Applicant, Item 3.3)
Adrian Patterson In Support (Agent, Item 3.6)
Joseph Webster In Support (Applicant, Item 3.6)
- Officers Present** : Director of Economic Development and Planning - M McAlister
Deputy Director of Planning & Building Control – S Mossman
Borough Lawyer and Head of Legal Services – P Casey
Senior Planning Officer – J McKendry
Senior Planning Officer – A Wilson
Systems Support Officer – C Bell
Member Services Officer – C McIntyre

CHAIRPERSON'S REMARKS

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

The Chairperson advised that Addendum reports relating to Items 3.1, 3.2 and 3.3, the Site Visit report, and an updated 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The Chairperson further advised Members that Item 3.5 had been withdrawn by the Applicant.

The Borough Lawyer and 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

Councillor H Cushinan
Councillor R Foster

2 DECLARATIONS OF INTEREST

Item 3.3 – Councillor Archibald-Brown
Item 3.3 – Councillor Lynch

PART ONE PLANNING APPLICATIONS

Councillor Logue joined the meeting remotely during Item 3.1 and was therefore unable to vote.

ITEM 3.1 APPLICATION NO: LA03/2024/0052/F

PROPOSAL:	Housing development for 15no. social housing units (3 sets of semi-detached dwellings, 1no. detached bungalow and 2no. apartment blocks comprising 4 apartments in each).
SITE/LOCATION:	Approximately 10m east of 1 Glenview Park at junction with Glenville Road, Glenview Gardens and Glenview Park, Newtownabbey.
APPLICANT:	BA Shaw Contractors.

Ashleigh Wilson, Senior Planning Officer, introduced the Planning Report and associated 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 Campbell

Seconded by Councillor Kinnear that planning permission be granted.

On the proposal being put to the meeting 9 Members voted in favour, 0 against and 0 abstentions, and it was unanimously agreed

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

ACTION BY: Sharon Mossman, Deputy Director of Planning and Building Control

ITEM 3.2 APPLICATION NO: LA03/2024/0798/F

PROPOSAL: 6 no. apartments at 415 Antrim Road, Newtownabbey, BT36 5ED.

SITE/LOCATION: PF Creagh Residential Property Developments.

APPLICANT: PF Creagh Residential Property Developments.

Ashleigh Wilson, Senior Planning Officer, introduced the Planning Report and associated Addendum 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 –

Kevin McCann	In Objection
Goretti McCann	In Objection
Paul Creagh	In Support/Applicant

Proposed by Councillor Webb

Seconded by Alderman Campbell that planning permission be refused for the application due to a conflict of adjacent land use, an adverse effect on existing properties in terms of loss of light and overshadowing with no respect to the surrounding context of the character and topography of the site in terms of scale, proportion, massing and appearance on adjacent buildings.

On the proposal being put to the meeting 6 Members voted in favour, 3 against and 1 abstention.

In favour: Alderman Campbell
Councillors – Archibald-Brown, Bennington, Flanagan
Lynch and Webb

Against: Councillors – Cosgrove, Kinnear and Logue

Abstention: Alderman Magill

It was agreed that planning permission be refused for the application due to a conflict of adjacent land use, an adverse effect on existing properties in terms of loss of light and overshadowing with no respect to the surrounding context of the

character and topography of the site in terms of scale, proportion, massing and appearance on adjacent buildings.

The reasons for the decision contrary to the Officers' recommendation were that the application was deemed unacceptable because of a conflict of adjacent land use, an adverse effect on existing properties in terms of loss of light and overshadowing, with no respect to the surrounding context of the character and topography of the site in terms of scale, proportion, massing and appearance on adjacent buildings.

ACTION BY: Sharon Mossman, Deputy Director of Planning and Building Control

Having declared an interest in item 3.3, Councillor Archibald-Brown left the Chamber and Councillor Cosgrove assumed the role of Chairperson at this point.

Councillor Lynch left the meeting remotely having declared an interest.

ITEM 3.3 APPLICATION NO: LA03/2024/0905/O

PROPOSAL:	Dwelling and garage on a farm.
SITE/LOCATION:	115m north of 1 Corbally Road, Aldergrove, Crumlin BT29 4EB.
APPLICANT:	Roy (Robert Martin) Butler.

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

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

Councillor Paul Dunlop	In Support
Roy Butler	In Support/Applicant

Proposed by Alderman Campbell
Seconded by Councillor Flanagan that outline planning permission be refused.

On the proposal being put to the meeting 6 Members voted in favour, 2 against and 0 abstentions, it was agreed

that outline planning permission be refused for the following reason:

- 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 1 and Policy CTY 10 of Planning Policy Statement 21: Sustainable Development in the Countryside, in that it has not been demonstrated that the farm business is active and established.**

ACTION BY: Sharon Mossman, Deputy Director of Planning and Building Control

Councillor Archibald-Brown returned to the Chamber at this point and resumed as Chair.

Councillor Lynch returned to the meeting remotely following Item 3.3.

ITEM 3.4 APPLICATION NO: LA03/2024/0357/F

PROPOSAL:	Erection of 5no. dwellings (4no. semi-detached and 1no. detached replacing 4no. detached and change of house type as previously approved under LA03/2019/0667/F).
SITE/LOCATION:	Approximately 25m south-west of 11 Park Road, Newtownabbey, BT36 4QF.
APPLICANT:	Park Road Development Ltd.

Ashleigh Wilson, Senior 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 Kinnear

Seconded by Councillor Archibald-Brown that planning permission be granted.

On the proposal being put to the meeting 10 Members voted in favour, 0 against and 0 abstentions, and 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 and Building Control

ITEM 3.5 APPLICATION NO: LA03/2025/0060/O

PROPOSAL:	Infill Dwelling and Garage.
SITE/LOCATION:	Site between Nos. 25 and 27 (approximately 20m west of 25) Old Ballybracken Road, Doagh, Ballyclare, BT39 0SF.
APPLICANT:	Richard Owens.

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

ACTION BY: Sharon Mossman, Deputy Director of Planning and Building Control

ITEM 3.6 APPLICATION NO: LA03/2025/0116/S54

PROPOSAL:	Dwelling (Variation of Condition 10 from planning approval LA03/2024/0710/O regarding ridge height of dwelling).
SITE/LOCATION:	Lands 50m north-east of 7 Lower Size Hill Road, Ballyclare, BT39 9RP.
APPLICANT:	Joseph Webster.

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

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

Adrian Patterson
Joseph Webster

In Support/Agent
In Support/Applicant

Proposed by Councillor Cosgrove

Seconded by Councillor Archibald-Brown that planning permission be granted for the variation of Condition as the proposal was considered to integrate into the surroundings and that it would not be visually prominent due to the limited views of the site and the existing backdrop.

On the proposal being put to the meeting 10 Members voted in favour, 0 against and 0 abstentions.

In favour:

Aldermen – Campbell and Magill
Councillors – Archibald-Brown, Bennington, Flanagan
Cosgrove, Kinnear, Logue, Lynch and Webb

It was unanimously agreed that planning permission be granted for the variation of Condition as the proposal was considered to integrate into the surroundings and that it would not be visually prominent due to the limited views of the site and the existing backdrop.

The reasons for the decision contrary to the Officers' recommendation were that the variation of Condition was deemed acceptable because it would integrate into its surroundings and would not be prominent due to limited views of the site and the existing backdrop.

ACTION BY: Sharon Mossman, Deputy Director of Planning and Building Control

ITEM 3.7 APPLICATION NO: LA03/2024/0730/F

PROPOSAL:	Retention of household recycling centre, including storage areas, garage, offices, welfare facility and associated lighting. Additional works include proposed drainage improvements, new security fencing to match the existing, replacement of existing bay walls with LEGO blocks, and the extension of the HRC area to accommodate 0.04 hectares of WEEE and glass storage.
SITE/LOCATION:	Craigmore Household Recycling Centre, Clonkeen Road, Randalstown, BT41 3JL.
APPLICANT:	Antrim and Newtownabbey Borough Council.

Ashleigh Wilson, Senior 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 Bennington
Seconded by Alderman Magill that planning permission be granted.

On the proposal being put to the meeting 10 Members voted in favour, 0 against and 0 abstentions, and 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 and Building Control

PART TWO – OTHER PLANNING MATTERS

ITEM 3.8

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS MARCH 2025

1. Purpose

The purpose of this report was to update Members on the planning applications decided under delegated powers and decisions issued by the Planning Appeals Commission (PAC) in March 2025.

2. Delegated Decisions of Council

A list of planning decisions issued by Officers during March 2025 under delegated powers together with information relating to planning appeals had been circulated for Members' information.

3. Planning Appeal Commission Decisions

Four (4) appeals were dismissed during March 2025 by the PAC. A claim for costs related to two (2) appeals (2023/A0110 and 2023/A0026) had been denied.

Planning application:	LA03/2023/0896/O
PAC reference:	2023/A0110
Proposed Development:	Dwelling and Garage
Location:	Approx 50m north east of 16 Blackrock Road, Randalstown
Date of Appeal Submission:	19/3/24
Date of Appeal Decision:	07/03/2025
Decision:	Appeal Dismissed – Council Decision Upheld

Planning application:	LA03/2022/0662/F
PAC reference:	2023/A0026
Proposed Development:	Retention of dwelling and garage (amended siting and access to dwelling and garage approved under LA03/2020/0123/F) and design change to garage
Location:	27 Glebe Road (Site 4 - 70m north of 7 Glebe Road, Newtownabbey)
Date of Appeal Submission:	04/07/2023
Date of Appeal Decision:	27/03/2025
Decision:	Appeal Dismissed – Council Decision Upheld

Planning application:	LA03/2022/1036/F
PAC reference:	2023/A0051
Proposed Development:	Proposed replacement storage shed associated with an existing filling station and shop, associated car parking and site works.
Location:	179 Moneynick Road, Toome, Antrim
Date of Appeal Submission:	06/09/2023
Date of Appeal Decision:	28/03/2025
Decision:	Appeal Dismissed – Council Decision Upheld

Planning application:	LA03/2023/0327/F
PAC reference:	2023/A0037
Proposed Development:	Extension to curtilage and retention of garage/store
Location:	20 Dundesert Road, Crumlin, BT29 4SL
Date of Appeal Submission:	31/07/2023
Date of Appeal Decision:	31/03/2025
Decision:	Appeal Dismissed – Council Decision Upheld

Copies of the decisions were circulated.

Two (2) appeals were allowed during March 2025 by the PAC. A claim for costs related to one (1) appeal (2023/L0011) was denied.

Planning application:	LA03/2023/0200/CLOPUD
PAC reference:	2023/L0011

Proposed Development: The refusal to Certify a Certificate of Lawfulness of Proposed Use or Development
Location: 27 Glebe Road, Newtownabbey
Date of Appeal Submission: 18/10/2023
Date of Appeal Decision: 27/03/2025
Decision: Appeal Allowed – Council Decision Not Upheld

Planning application: LA03/2022/1118/F
PAC reference: 2023/A0060
Proposed Development: Erection of stables building for private use only including ancillary siteworks
Location: 120 metres north-east of 16 Rickamore Road, Templepatrick
Date of Appeal Submission: 20/09/2023
Date of Appeal Decision: 25/03/2025
Decision: Appeal Allowed – Council Decision Not Upheld

One (1) Enforcement Notice (as varied) was upheld during March 2025 by the PAC.

Planning application: LA03/2022/0172/CA and EN/2022/0172
PAC reference: 2023/E0024
Proposed Development: 2 no. unauthorised buildings and the infilling and raising of ground levels to facilitate the unauthorised buildings (non-compliance with planning permission LA03/2020/0123/F).
Location: Land at 27 Glebe Road (Site 4 – approximately 110m north of 7 Glebe Road, Newtownabbey)
Date of Appeal Submission: 05/09/2023
Date of Appeal Decision: 27/03/2025
Decision: Enforcement Notice Upheld – Council Decision Upheld PAC varied notice including timeframe for compliance from 20 to 28 weeks.

A copy of the decision was circulated.

Proposed by Alderman Magill
Seconded by Councillor Webb and unanimously agreed that

the report be noted.

NO ACTION

ITEM 3.9

P/PLAN/1 PLANNING FEES INCREASE

1. Purpose

The purpose of this report was to advise Members that the Department for Infrastructure, in line with the Planning (Fees) (Amendment) Regulations (Northern Ireland) 2025 would introduce an inflationary fee uplift of approximately 2.1%. This would be across all fee categories and would come into operation on 1 April 2025.

2. Background

Since 1 April 2015 Councils had been responsible for the processing of the majority of planning applications, and the Department for Infrastructure (DfI) had set the associated fees.

The Planning (Fees) (Amendment) Regulations (Northern Ireland) 2025 would come into operation in April 2025. There had been no change in policy (to apply planning fees), and in line with the approach for previous inflationary fee increases, the Minister for Infrastructure agreed to an inflationary increase of approximately 2.1%.

3. Key Issues

Planning Fees in Northern Ireland were set in Statutory Rule, The Planning (Fees) Regulations (Northern Ireland) 2015. Annually DfI applied an inflationary uplift across all fee categories.

The Department for Infrastructure, in line with the Planning (Fees) (Amendment) Regulations (Northern Ireland) 2025 had introduced an inflationary fee uplift of approximately 2.1%. This was across all fee categories and came into operation on 1 April 2025 (circulated).

The planning portal was successfully updated to reflect the new fees with effect from 1 April 2025.

Proposed by Alderman Magill

Seconded by Councillor Webb and unanimously agreed that

the report be noted.

NO ACTION

ITEM 3.10

P/PLAN/1 NISRA PLANNING STATISTICS THIRD QUARTER 2024/2025 STATISTICAL BULLETIN FOR THE PERIOD OCTOBER TO DECEMBER 2024: PROVISIONAL FIGURES

1. Purpose

The purpose of this report was to update Members on the NISRA Planning Statistics 2024/2025 – Third Quarter Statistical Bulletin for the period October to December 2024: Provisional Figures

2. Key Issues

The third quarterly provisional planning statistics for 2024/25 produced by the Analysis, Statistics and Research Branch of Department for Infrastructure (DfI) (circulated) had been released on 27 March 2025.

The figures showed that in Quarter 3 2024/2025 the total number of planning applications received in Northern Ireland was 2,368; similar to the number received

in the previous quarter and down by six percent when compared to the same period a year earlier. This comprised of 2,321 local, 46 major and one regionally significant planning application.

In relation to performance against statutory targets, DfI figures showed that the Council was within the 30-week target time in the third quarter of 2024/25 for Major planning applications, with an average processing time of 21.8 weeks. This performance ranked second amongst the 11 Councils and reflected well against the average processing time of 39.7 weeks across all Councils.

The number of local applications decided in the third quarter of 2024/25 was 2,286, an increase of 1.3 percent from the previous quarter and down by 5.7 percent from the same period a year earlier. Three of the 11 Councils were within the 15-week target with Antrim and Newtownabbey (12.8 weeks) ranked third. This reflected well against the average processing time of 19.2 weeks across all Councils.

The number of enforcement cases opened in NI during the third quarter of 2024/25 was 582; down by 6.6% over the quarter (623) and down by 7.9% when compared to the same period a year earlier (632). The number of cases closed during Q3 2024/25 was 614; down by 8.2% from the previous quarter (669) and down by 12.4% from the same period a year earlier). Antrim and Newtownabbey recorded the highest percentage of cases processed within 39 weeks, with 98.1% processed within target during the first nine months of 2024/25.

Proposed by Alderman Magill

Seconded by Councillor Webb and unanimously agreed that

the report be noted.

NO ACTION

ITEM 3.11

P/PLAN/1 UPCOMING EVENT FOR COUNCIL'S SUMMER PLACEMENT FOR PLANNING STUDENTS, JUNE – AUGUST 2025

1. Purpose

The purpose of this report was to advise Members of an upcoming event to launch the Council's Summer Placement aimed at planning students to be held in Mossley Mill.

2. Key Issues

The Council agreed through the 2025/26 budget to make provision for two students over the summer period in the Planning Section. It was important that the Council promoted the opportunity for students to gain experience in the profession of planning and also to build relationships with universities and attract future staff.

Officers proposed to engage with Queen's University and Ulster University regarding the upcoming summer placements and proposed a launch event to be held within Mossley Mill in May (date to be confirmed).

The launch event would invite students to attend Mossley Mill to hear from the Chairperson of the Planning Committee and the Chairperson of the RTPI NI, as well as getting some insight from Officers working across Development Management, Enforcement and Forward Planning teams. The event would finish with an opportunity for the students to network with Officers and Planning Committee Members.

An invitation would be sent to all Planning Committee Members and relevant Officers.

Proposed by Alderman Magill

Seconded by Councillor Webb and unanimously agreed that

the report be noted.

NO ACTION

ITEM 3.12

P/FP/LDP 1 NOTIFICATION OF PLANNING APPEALS COMMISSION HEARING INTO PLANNING APPLICATION LA03/2021/0940/F – LOUGH NEAGH SAND EXTRACTION

1. Purpose

The purpose of this report was to advise Members that correspondence (circulated) had recently been received from the Department for Infrastructure (DfI), regarding arrangements for the forthcoming Planning Appeals Commission hearing into planning application LA03/2021/0940/F.

2. Introduction/Background

The application is located within the Mid Ulster, Antrim and Newtownabbey, Armagh Banbridge and Craigavon and Lisburn and Castlereagh council areas.

It seeks permission to develop land without compliance with planning conditions No.7 (seeking removal of daylight only operating hours restriction) and No.12 (seeking variation to barge sizes) previously attached to planning permission LA03/2017/0310/F.

Members are reminded that the Council Chief Executive had previously written to Department for Infrastructure in July 2022, indicating that the Council had agreed not to provide a corporate view on the merits of the proposal, thus allowing individual Members or parties to express support or object to the development if they so wished.

3. Key Issues

The hearing by the Planning Appeals Commission is scheduled to open at 10.30am on 25 June 2025 in the Commission's office, 4th Floor, 92 Ann Street, Belfast and will continue as necessary on the following day. DfI has written to the Council, as it had

previously provided the consultation response from the Chief Executive as detailed above, requesting whether the Council had any additional comment to make.

Members are reminded that the final decision on this regionally significant planning application will rest with the Department for Infrastructure.

4. Summary

The hearing held by the Planning Appeals Commission into planning application LA03/2021/0940/F is scheduled to open at 10.30am on 25 June 2025.

Proposed by Alderman Magill

Seconded by Councillor Webb and unanimously agreed that

the report be noted.

NO ACTION

ITEM 3.13

P/FP/LDP/21 THE DEPARTMENT FOR INFRASTRUCTURE, DEVELOPER CONTRIBUTIONS FOR WASTEWATER INFRASTRUCTURE, PUBLIC CONSULTATION

1. Purpose

The purpose of this report was to inform Members that on 21 March the Department for Infrastructure Minister, Liz Kimmins, launched a public consultation on Developer Contributions for Wastewater Infrastructure. The consultation sought public views on whether and, if so, how the Department should introduce developer contributions to help fund necessary improvements to wastewater infrastructure across the province. The consultation would close on 27 June 2025.

2. Key Issues

The Council received notification from the Department for Infrastructure (DfI) on 21 March 2025 that Infrastructure Minister Liz Kimmins had launched a public consultation on Developer Contributions for Wastewater Infrastructure (circulated). The consultation sought public views on whether, and if so how, the Department should introduce developer contributions to help fund necessary improvements to wastewater infrastructure across the province.

Wastewater was water that came from households or businesses and included water from sinks, showers, toilets and washing machines. Wastewater infrastructure included sewer pipes, storage tanks, pumps, and treatment works, all of which were required to operate safely to collect and dispose of wastewater. The cost of delivering sewerage services across the province was currently met from the NI Executive's budget and was administered through DfI. The Department was the sole shareholder of NI Water which was operationally responsible for the delivery of all wastewater services in Northern Ireland. It currently costs circa £680 million each year for NI Water to deliver water and wastewater services.

DfI's consultation proposed two options:

- **Voluntary Developer Contributions for Wastewater Infrastructure** – developers could voluntarily pay to offset the costs of upgrading or replacing the wastewater infrastructure preventing new connections in the specific areas where they were unable to build; or
- **Compulsory Developer Wastewater Contribution Levy** – introduction of a compulsory wastewater levy, requiring a financial contribution from developers which would be used on a prioritised needs basis across the province, not just in the areas where they directly benefited.

DfI recognised that whilst improving our sewerage systems would be a significant undertaking, the potential for the introduction of developer contributions would not alone provide the funding needed to implement the improvements that were needed. The consultation was one part of a three-pronged approach to include the introduction of new legislation in relation to sustainable drainage systems (the Water, Flooding and Sustainable Drainage Bill), and the prioritisation of housing need.

Council's proposed approach to developer contributions was set out in the Draft Plan Strategy, Strategic Policy SP 1.13 – 1.17 (pages 67-68) 'Delivering Sustainable Outcomes' which stated, *"Developers will be expected to provide and meet the costs of infrastructure and other works required to facilitate and sustain their proposals. In appropriate cases, the Council will seek contributions from developers where these are necessary for infrastructure delivery or manage and/or mitigate the impact of the new development on our Borough's services and environment"*.

The consultation would be open for fourteen (14) weeks and would close at noon on 27 June 2025.

Proposed by Councillor Cosgrove

Seconded by Councillor Bennington and unanimously agreed that

the corporate response (circulated) be approved.

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

ITEM 3.14

P/PLAN/1 POSITIVE PLANNING NOTE – SWIFTS AND DEVELOPMENT

1. Purpose

The purpose of this report was for Members to consider a Positive Planning Note in relation to Swifts and Development.

2. Background

The Swift had been identified as the Bird of the Borough and the Council had undertaken a number of initiatives to promote it. Swifts were a migratory species of bird that usually arrived in the Borough in late April, as well as across the remainder of the UK and Ireland. They typically nested in the eaves of tall older buildings entering through gaps in timber and brickwork. There had been a continuing long-term decline in breeding swift numbers in the UK. Swifts were placed on the UK Red

List for birds in 2021 by the British trust for Ornithology. A 'swift brick' provided a nesting box for swifts that was fitted into the walls of a building.

3. Previous Decision of Council

The Council brought forward a Positive Planning Note regarding the Swift in its Local Development Plan - Plan Strategy and also agreed in January 2024 that in order to promote a pro-active approach to key environmental and climate issues by applicants for planning permission, Officers would consider the development of a range of Positive Planning Notes, taking forward the initiative as set out in the Council's Local Development Plan. It was anticipated that these would provide applicants with advice notes as to how they could proportionately contribute to good planning. It would also be the intention of Officers to include these as "informatives" on granted planning permission where considered relevant.

4. Key Issues

Officers had drafted a Positive Planning Note relating to Swifts and Development (circulated). The document had been drafted in association with the Northern Ireland Swift Association, the Royal Society for the Protection of Birds (Northern Ireland) and Northern Ireland Environment Agency. Officers intended to promote this leaflet and the publication of this Positive Planning Note would be included as an informative in any planning permissions granted. Once agreed the document would be forwarded to the Council's Comms Section for design and launch. The final version would be brought forward to Planning Committee for information.

The Council's Planning Section would continue to consult DAERA on applications where biodiversity was a consideration and where Swifts' nesting sites had been identified and to consider mitigation measures as recommended by DAERA, including the provision of swift nesting boxes controlled by condition.

The Council's Planning Section would also consider bringing forward further measures in its Local Policies Plan in relation to Swift preservation and was currently liaising with the RSPB.

Proposed by Councillor Logue

Seconded by Councillor Lynch and unanimously agreed that

the draft Positive Planning Note be endorsed for the purposes of publication and that the report be noted.

ACTION BY: Sharon Mossman, Deputy Director of Planning and Building Control

ITEM 3.15

P/PLAN/1 REQUEST FOR EXTENSION OF TIME TO SUBMIT ADDITIONAL INFORMATION: LA03/2024/0182/F and LA03/2024/0435/F

1. Purpose

The purpose of this report was to seek approval from Members to allow an extension of time for the applicant/agent to submit additional information on planning applications LA03/2024/0182/F and LA03/2024/0435/F.

2. Introduction/Background

Planning application Ref: LA03/2024/0182/F (Battery Energy Storage System (BESS) Facility 100MW including, transformers, switch and control Room, lighting and CCTV, new site boundary fencing, new access, and ancillary development works at lands approximately 80m west of 92 Parkgate Road, Kells, Ballymena, BT42 3PG) and Planning application Ref: LA03/2024/0435/F Proposed erection of a 79 MW Battery Energy Storage System (BESS) Facility including MV skids (transformer and inverter), outdoor switchgear compound, DNO substation control room, welfare unit, spare parts container, switch room, new site boundary fencing, new access, and ancillary development works at lands approximately 342m southeast of Kells Substation and approximately 105m east of 43 Doagh Road, Kells, Ballymena BT42 3PP were presented to the March 2025 Planning Committee.

Both applications were deferred for a period of two months to allow the applicants to meet with Officers and submit additional information to address the reasons for refusal.

Following a meeting with Officers on the 9 April 2025, the agent for both applications had requested an extension of time until the 23 May 2025 to submit the additional information, meaning that the earliest Planning Committee that the deferred application could be presented back to Committee would be the 23 June 2025. This would effectively represent a one-month extension.

Proposed by Councillor Bennington
Seconded by Councillor Webb and unanimously agreed that

the extension of time be approved.

ACTION BY: Barry Diamond, Head of Planning Development Management

ITEM 3.16

ANY OTHER RELEVANT BUSINESS

None.

PROPOSAL TO PROCEED 'IN CONFIDENCE'

Proposed by Councillor Bennington
Seconded by Councillor Cosgrove and agreed that

the following Committee business be taken In Confidence.

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

Councillor Lynch left the meeting.

PART ONE - DECISIONS ON ENFORCEMENT CASES – IN CONFIDENCE

ITEM 3.17

P/PLAN/1 PROPOSED LISTING AND SERVING OF BUILDING PRESERVATION NOTICE IN CONFIDENCE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Proposed by Councillor Webb
Seconded by Councillor Bennington and unanimously agreed that

- (a) **Members respond on an individual or party-political basis; and**
- (b) **the Planning Section's service of a Building Preservation Notice on the building be noted.**

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

ITEM 3.18

F/FP/LDP30 TREE PRESERVATION ORDER [REDACTED] IN CONFIDENCE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

the Tree Preservation Order on the lands identified in red on the map be approved.

ACTION BY: Simon Thompson, Local Development and Enforcement Manager

ITEM 3.19 IN CONFIDENCE ENFORCEMENT CASE: [REDACTED]

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

Proposed by Alderman Campbell

Seconded by Councillor Webb 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: Simon Thompson, Local Development Plan and Enforcement Manager

ITEM 3.20 IN CONFIDENCE ENFORCEMENT CASE: [REDACTED]

The recommendation was 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 Bennington

Seconded by Councillor Webb 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: Simon Thompson, Local Development Plan and Enforcement Manager

ITEM 3.21 IN CONFIDENCE ENFORCEMENT CASE: [REDACTED]

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

Proposed by Alderman Campbell

Seconded by Councillor Bennington 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: Simon Thompson, Local Development Plan and Enforcement Manager

PROPOSAL TO MOVE OUT OF 'IN CONFIDENCE'

Proposed by Alderman Campbell
Seconded by Councillor Bennington and agreed that

any remaining Committee business be conducted in Open Session.

The Chairperson advised that the audio recording would recommence.

There being no further Committee business the Chairperson thanked Members for their attendance and the meeting concluded at 7.34pm.

MAYOR

Council Minutes have been redacted in accordance with the Freedom of Information Act 2000, the Data Protection Act 2018, the General Data Protection Regulation, and legal advice.