



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE
HELD IN MOSSLEY MILL ON MONDAY 17 MAY 2021 AT 6.00 PM**

- In the Chair** : Alderman T Campbell
- Committee Members Present** : Aldermen - F Agnew and J Smyth
Councillors - J Archibald-Brown, H Cushinan, S Flanagan,
R Lynch, M Magill, R Swann and B Webb
- Non-Committee Members Present** : Alderman T Burns
Councillors - A Bennington, J Montgomery, V McWilliam
and A McAuley
- Public Speakers** : Robyn Nicholl In Support (Agent, Item 3.1)
Stephen McKay In Support (Agent, Item 3.2)
Chris Cassidy In Support (Agent Item 3.3)
Councillor J Montgomery In Support (Item 3.5)
Alderman T Burns In Support (Items 3.4 & 3.5)
- Officers Present** : Deputy Chief Executive of Economic Growth - M McAlister
Head of Planning – J Linden
Borough Lawyer & Head of Legal Services - P Casey
Senior Planning Officer - J McKendry
Senior Planning Officer - J Winters
Legal Services Officer (Solicitor) – E Keenan
ICT Change Officer - A Cole
System Support Officer - C Bell
Member Services Officer - S Boyd

CHAIRPERSON'S REMARKS

The Chairperson welcomed Committee Members to the May 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 Site Visits had been circulated to Members, with a hard copy being made available in the Chamber.

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

Alderman P Brett
Councillor R Kinnear
Chief Executive J Dixon

2 DECLARATIONS OF INTEREST

None

PART ONE PLANNING APPLICATIONS

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

ITEM 3.1 APPLICATION NO: LA03/2020/0862/F

PROPOSAL:	Proposed erection of a Training Unit associated with The Bridge Association Charity, comprising a mix uses such as classrooms, workshop, canteen, kitchen, gym, office and staff room including a new access onto Kilbegs Road, inclusion of a Waste Water Treatment Works and all associated works.
SITE/LOCATION:	Lands adjacent to Kilbegs Industrial Estate and approximately 60m southwest of Unit 22 The Junction, Antrim
APPLICANT:	The Bridge Association

Johanne McKendry, 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 –

Robyn Nicholl	In Support/Agent
Tom Stokes	In Support/Agent (for questions)

Proposed by Alderman Smyth
Seconded by Councillor Webb 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, Head of Planning

ITEM 3.2 APPLICATION NO: LA03/2020/0882/F

PROPOSAL:	Change of use of land from agricultural to sports playing field. Proposal includes 1m high perimeter fence, emergency access point onto Creggan Road and ancillary footpaths around the edge of pitch. Ball stop netting (13m high) will be erected behind goalposts at either end of the pitch.
SITE/LOCATION:	134 Staffordstown Road (Adjacent to eastern boundary of existing playing field), Randalstown, Co. Antrim
APPLICANT:	Kickham's GAC Creggan

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 –

Stephen McKay In Support/Agent

Proposed by Councillor Webb
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: John Linden, Head of Planning

ITEM 3.3 APPLICATION NO: LA03/2020/0889/O

PROPOSAL:	Site for infill Dwelling
SITE/LOCATION:	Adjacent to 62 Slievetrue Road, Carrickfergus
APPLICANT:	Mr William Weatherup

John Linden, Head of Planning, introduced the Planning Report to the Committee and made a recommendation to refuse outline planning permission.

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

Chris Cassidy In Support/Agent

Proposed by Alderman Agnew
Seconded by Councillor Magill 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.

2. The proposal is contrary to the 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 does not comprise a small gap within a substantial and continuously built up frontage.
3. The proposal is contrary to the provisions of the Strategic Planning Policy Statement and Policy CTY 13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that a dwelling on this site, if permitted, would fail to integrate into the countryside.
4. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policies CTY 8 & 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, result in ribbon development resulting in a suburban style build up when viewed with the existing dwellings along Slievetrue Road.

ACTION BY: John Linden, Head of Planning

ITEM 3.4 APPLICATION NO: LA03/2021/0085/O

PROPOSAL:	Site for infill dwelling
SITE/LOCATION:	45m southwest of 15 British Road, Aldergrove, Crumlin
APPLICANT:	Colin McCabe

John Linden, Head of Planning, introduced the Planning Report to the Committee and made a recommendation to refuse outline planning permission.

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

Alderman T Burns

In Support

Proposed by Councillor Webb

Seconded by Councillor Archibald-Brown that outline planning permission be refused

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

that outline planning permission be refused for the following reasons:

1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and 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 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 does not comprise a small gap within a substantial and continuously built up frontage.**
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, result in ribbon development resulting in a suburban style build up when viewed with the existing dwellings on the British Road.**
4. **The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy FLD 1 of Planning Policy Statement 15: Planning and Flood Risk (PPS 15) in that the proposed development is located partially within a fluvial floodplain and it has not been demonstrated that the proposed development would not be at risk from flooding itself or would not increase the risk of flooding elsewhere.**

ACTION BY: John Linden, Head of Planning

ITEM 3.5 APPLICATION NO: LA03/2021/0087/O

PROPOSAL:	Site for infill dwelling
SITE/LOCATION:	100m northwest of 11 British Road, Aldergrove, Crumlin
APPLICANT:	Colin McCabe

John Linden, Head of Planning, introduced the Planning Report to the Committee and made a recommendation to refuse outline planning permission.

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

Councillor J Montgomery	In Support
Alderman T Burns	In Support

Proposed by Councillor Webb
 Seconded by Councillor Archibald-Brown that outline planning permission be refused

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

that outline planning permission be refused for the following reasons:

1. **The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and 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 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 does not comprise a small gap within a substantial and continuously built up frontage.**
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, result in ribbon development resulting in a suburban style build up when viewed with the existing dwellings on the British Road.**

ACTION BY: John Linden, Head of Planning

PART TWO OTHER PLANNING MATTERS

ITEM 3.6

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

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

One appeal was allowed during April by the Planning Appeals Commission (PAC) in relation to the non-determination of an application for a residential development of 32 units in the south eastern portion of the former Craighill Quarry, Ballycorr Road, Ballyclare (reference: LA03/2020/0117/F) and a copy of the decision was circulated.

As reported to the April Planning Committee meeting, the application for a residential development of 7 units at Lenamore Drive (reference LA03/2020/0349/F) refused at the March Planning Committee is shown on the PAC website as having been appealed. However, at time of writing this report, the Council has still not received formal notification of this appeal from the PAC.

Members noted that the PAC had dismissed two linked appeals for a proposed new cemetery site on lands at Carnaghlyss and Quarterland Roads within the Lisburn and Castlereagh City Council area which is close to the boundary with this Council. A copy of this decision was also circulated for information

Proposed by Alderman Smyth
Seconded by Councillor Flanagan and unanimously agreed

that the report be noted.

NO ACTION

ITEM 3.7

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). Three PANs were registered during April 2021 the details of which are set out below.

PAN Reference:	LA03/2021/0344/PAN
Proposal:	Proposed erection of a residential apartment development with retail provision at ground floor and associated development
Location:	Lands at 333-335 Antrim Road, Glengormley
Applicant:	Mr Kenneth Campbell
Date Received:	16 April 2021
12 week expiry:	9 July 2021

PAN Reference:	LA03/2021/0364/PAN
Proposal:	Proposed new 7no classroom primary school and nursery unit for Gaelscoil Eanna, associated site works, infrastructure and landscaping, with access from Hightown Road
Location:	Lands approx. 245m south of the existing St Enda's GAC clubhouse, Hightown Road, Glengormley
Applicant:	Gaelscoil & Naiscoil Eanna
Date Received:	21 April 2021
12 week expiry:	14 July 2021

PAN Reference:	LA03/2021/0374/PAN
Proposal:	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 and ancillary development
Location:	Lands to the south of Belfast Road between 127 and 163 lands to south of existing railway line and north and north/west of 159 Belfast Road, Muckamore, Antrim
Applicant:	Translink
Date Received:	22 April 2021
12 week expiry:	15 July 2021

Under Section 27 of the 2011 Planning Act obligations are placed on the prospective developer to consult the community in advance of submitting a Major development planning application. Where, following the 12 week period set down in statute, an application is submitted this must be accompanied by a Pre-Application Community consultation report outlining the consultation that has been undertaken regarding the application and detailing how this has influenced the proposal submitted.

As part of its response to Coronavirus, the Department for Infrastructure (DfI) introduced an amendment to subordinate legislation during 2020 to temporarily

remove the requirement for a public event as part of the pre application community consultation (PACC). The initial Departmental Regulations were subsequently extended on 1 October 2020 and more recently the Infrastructure Minister, Nichola Mallon, announced on 9 March that the temporary suspension of the PACC requirement was being further extended in light of continuing restrictions associated with coronavirus.

The Planning (Development Management) (Temporary Modifications) (Coronavirus) (Amendment) Regulations (Northern Ireland) 2021 temporarily amend the Planning (Development Management) Regulations (Northern Ireland) 2015 and will now apply until 30 September 2021. As with the previous Regulations applicants will still need to comply with other requirements to ensure communities are aware of and can input to major development proposals for their areas. However, this temporary change will allow major planning applications to continue to be submitted during the COVID-19 outbreak.

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

Proposed by Alderman Smyth
Seconded by Councillor Flanagan and unanimously agreed

that the report be noted.

NO ACTION

ITEM 3.8

P/FP/LDP/53 LISBURN AND CASTLEREAGH CITY COUNCIL - SUBMISSION OF DRAFT PLAN STRATEGY TO DEPARTMENT FOR INFRASTRUCTURE.

P/FP/FP/54 MID AND EAST ANTRIM BOROUGH COUNCIL - SUBMISSION OF DRAFT PLAN STRATEGY TO THE DEPARTMENT FOR INFRASTRUCTURE

Neighbouring Councils are one of the main statutory consultees within the Local Development Plan (LDP) process and several have been progressing their LDP Draft Plan Strategy documents in recent months.

Members were aware that the Independent Examination into the Belfast City Council Draft Plan Strategy (DPS) recently concluded and the Report of the Planning Appeals Commission is now awaited. It is understood the Report on the DPS should be completed sometime in September/October 2021 at which time it will be sent by the Commission to the Department for Infrastructure (DfI).

In addition, both Lisburn and Castlereagh City Council (LCCC) and Mid and East Antrim Borough Council (MEABC) have now submitted their respective Draft Plan Strategies and associated documents to DfI for the purposes of causing an Independent Examination to be carried out.

The LDP submission documents for LCCC can be viewed on their website at www.lisburncastlereagh.gov.uk/LDP

The LDP submission documents for MEABC can be viewed on their website at www.midandeantrim.gov.uk/ldp

A copy of correspondence from both Councils on the matter was circulated for information.

Proposed by Alderman Smyth
Seconded by Councillor Flanagan and unanimously agreed

that the report be noted.

NO ACTION

ITEM 3.9

P/FP/114 DAERA/DFI COASTAL FORUM WORKING GROUP

The most recent meeting of the Coastal Forum Working Group took place virtually on 27 April 2021 hosted by the Department for Infrastructure. Items for discussion included updates on the draft Coastal Forum Programme, the Coastal Management Baseline (LIDAR Project & Coastal Observatory) and the Peace Plus Programme Application.

A presentation was given to the Group by a representative from the National Trust regarding the Trust's Climate Mapping Tool.

A copy of the previous meeting minutes which took place on 26 January 2021 were circulated for information. The next meeting of the Working Group is due to take place in late summer 2021 on a date to be confirmed.

Proposed by Alderman Smyth
Seconded by Councillor Flanagan and unanimously agreed

that the report be noted.

NO ACTION

ITEM 3.10

DEPARTMENT FOR INFRASTRUCTURE - NOTICE OF OPINION RELATING TO PLANNING APPLICATION REFERENCE LA03/2018/1116/RM - RESERVED MATTERS APPLICATION FOR THE NORTHERN SECTION OF BALLYCLARE RELIEF ROAD AND ASSOCIATED WORKS

The Department for Infrastructure (DfI) has written to the Council to advise that it has issued a Notice of Opinion that approval should be granted to the reserved matters application outlined below (copy of the DfI letter and the accompanying Notice of Opinion circulated).

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

Background

This Reserved Matters application is linked to a number of earlier applications that were being processed by the Department for Infrastructure and which have previously come before the Planning Committee 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 which 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.

Members recalled that a report brought to the March 2021 meeting of the Planning Committee regarding a linked reserved matters application (reference: LA03/2020/0081/RM) for the development of some 703 dwellings which relies on delivery of the northern section of the Relief Road. This more recent application remains under consideration and, similar to the current application, the Department will be obliged to notify the Council of its opinion on the proposal prior to making a decision.

Current Application

Following earlier consultation by the Department on this application in February 2019, and the other associated applications in the intervening period, the Council had agreed not to provide a corporate view and this position was subsequently conveyed to the Department in writing.

Having now issued its opinion that approval should be granted to this reserved matters application the Department, as with the previous applications, has written to the Council to ascertain if it wishes to request an opportunity of appearing before and being heard by the Planning Appeals Commission on the current application. It should be noted that the Department has also written to the applicant in similar fashion.

If a hearing before the Planning Appeals Commission is requested by the Council or the applicant, the Department must take into account the report of this hearing. However, the final decision in relation to the application will rest with the Department.

On foot of the NOP now received there are in effect only two options available to the Council in responding to the Department:

1. To request a hearing before the Planning Appeals Commission on the Department's Notice of Opinion; or.
2. To note the Department's Notice of Opinion and advise that the Council will not be seeking a Hearing before the Planning Appeals Commission.

In relation to the previous Notice of Opinions on the linked applications issued by the Department at this location, and as indicated above, the Council has to date noted these and resolved not to request a hearing on the applications.

Proposed by Councillor Flanagan

Seconded by Councillor Archibald-Brown and unanimously agreed

that the Department's Notice of Opinion be noted and the Department be advised that Council will not be seeking a Hearing before the Planning Appeals Commission.

ACTION BY: John Linden, Head of Planning

PROPOSAL TO PROCEED 'IN CONFIDENCE'

Proposed by Councillor Magill

Seconded by Councillor Lynch 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 3.11

LA03/2020/0109/CA AND EN 2021/0059 -

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Proposed by Alderman Smyth
Seconded by Councillor Cushinan and unanimously agreed

that the report be noted.

ACTION BY: Judith Winters, Senior Planning Officer

PART ONE - DECISIONS ON ENFORCEMENT CASES – IN CONFIDENCE

ITEM 3.12 - ENFORCEMENT CASE: LA03/2021/0063/CA

Judith Winters, Senior Planning Officer, introduced the Enforcement Report to the Committee and made a recommendation that authority be granted to progress enforcement action to regularise the breach of planning control, the detail of which is delegated to appointed Officers.

Proposed by Councillor Magill
Seconded by Councillor Flanagan 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: John Linden, Head of Planning

Following a question from a Member the Borough Lawyer and Head of Legal Services provided clarity to Members on the current legislation relating to holding virtual meetings.

As this was his last meeting as Chair of the Planning Committee the Chairperson thanked the Vice Chairperson for his support and Members, Directors, Officers, Planning Department, and IT staff for their assistance and support during the past year.

Members thanked and congratulated the Chair on his Chairmanship of the Committee during a challenging year.

PROPOSAL TO MOVE OUT OF 'IN CONFIDENCE'

Proposed by Councillor Lynch

Seconded by Alderman Smyth 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 7.15pm.

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.