



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE
HELD IN MOSSLEY MILL ON MONDAY 16 OCTOBER 2023 AT 6.00 PM**

- In the Chair** : Councillor R Foster
- Committee Members Present (In Person)** : Aldermen - T Campbell, M Magill and J Smyth
Councillors – J Archibald-Brown, S Cosgrove, H Cushinan, and B Webb
- Committee Members Present (Remotely)** : Councillors - A Bennington, S Flanagan, R Kinnear and AM Logue
- Non-Committee Members Present (In Person)** : Alderman L Boyle
- Public Speakers** :
- | | |
|-------------------------|---------------------------------------|
| Darren Cameron | In Objection (Objector, Item 4.1) |
| Melanie Bowden | In Objection (Objector, Item 4.1) |
| Tom Stokes | In Support (Agent, Item 4.1) |
| Carole Bodels | In Objection (Objector, Item 4.2) |
| Jason McLeister | In Support (Consultant, Item 4.2) |
| David Donaldson | In Support (Agent, Item 4.4) |
| Peter Wilson | In Objection (Objector, Item 4.5) |
| Robert Logan | In Support (Agent, Item 4.5) |
| Tony Quinn | In Support (Agent, Item 4.6) |
| Dermot Monaghan | In Support (Agent, Items 4.7 & 4.8) |
| Samuel George Parkinson | In Objection (Objector, Item 4.9) |
| William Noteman | In Support (Agent, Item 4.9) |
| Joe Magill | In Support (Agent, Items 4.14 & 4.15) |
- Officers Present** : Director of Economic Development and Planning - M McAlister
Deputy Director of Planning & Building Control – S Mossman
Borough Lawyer & Head of Legal Services – P Casey
Head of Planning Development Management – B Diamond
Local Development Plan & Enforcement Manager – S Thompson
Senior Planning Officer – J McKendry
Senior Planning Officer – A Leathem
Senior Planning Officer – A Wilson
ICT Helpdesk Officer – J Wilson
ICT Helpdesk Officer – D Mason
Member Services Officer – C McIntyre

CHAIRPERSON'S REMARKS

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

The Chairperson advised Members that Addendum reports relating to Items 4.7, 4.8, 4.14 and 4.15 had been circulated. The Site Visit report, along with an updated speakers' list had also 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The Chairperson further advised Members that Item 4.11 had been withdrawn by Officers, Item 4.12 and 4.13 had been withdrawn by the Applicants.

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

None

2 DECLARATIONS OF INTEREST

Item 4.1 – Councillor Archibald-Brown

Item 4.17 – Councillor Flanagan

3 INTRODUCTION OF NEW STAFF

Faye Douglas, Planning Business Support Officer (Temporary)

Alex Tipping, Residential Planning Officer

PART ONE PLANNING APPLICATIONS

Having declared an interest in Item 4.1 Councillor Archibald-Brown left the Chamber.

ITEM 4.1 APPLICATION NO: LA03/2022/0641/F

PROPOSAL:	Proposed residential development comprising of 187 no. dwellings in 2 phases (Phase 1 to deliver 48 no. dwellings & Phase 2 to deliver 139 no. dwellings) and associated garages, including provision of public open space, landscaping, new site access and all associated site works
SITE/LOCATION:	Lands between Station Road and Burn Road approx. 180m South East of 48 Burn Road, 160m South West of 24 Burn Road and 270m West of 53 Station Road, Doagh, BT39 0QT
APPLICANT:	Antrim Construction Company Ltd

Alicia Leathem, 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 –

Darren Cameron	In Objection
Melanie Bowden	In Objection
Tom Stokes	In Support/Agent
Richard Agus	In Support/Consultant (for questions)
Peter McMullan	In Support (for questions)
Mark Hardy	In Support (for questions)
Stephen Villiers	In Support (for questions)

Proposed by Alderman Campbell

Seconded by Councillor Cushinan that planning permission be granted.

On the proposal being put to the meeting 6 Members voted in favour, 4 against and 1 abstention, it was 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 & Building Control

Councillor Archibald-Brown returned to the Chamber.

ITEM 4.2 APPLICATION NO: LA03/2022/0942/F

PROPOSAL:	Proposed residential development for 6 no. detached dwellings. Proposal includes garages, car parking, landscaping and all associated site works
SITE/LOCATION:	1 Circular Road, Jordanstown, Newtownabbey BT37 0RA
APPLICANT:	O'Kane Group

Ashleigh Wilson, 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 –

Carole Bodels	In Objection
Jason McLeister	In Support
Tom Stokes	In Support/Consultant (for questions)
Sean O'Kane	In Support/Applicant (for questions)

Proposed by Councillor Webb

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

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

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

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

Councillor Cushinan left and returned to the Chamber during Item 4.3 and was therefore unable to vote.

ITEM 4.3 APPLICATION NO: LA03/2023/0383/F

PROPOSAL:	Installation of up to 18m high slim-line monopole, supporting 6 no. antennas, 2 no. equipment cabinets, 1 no. electric metre cabinet, and ancillary development
SITE/LOCATION:	Land approximately 23m North West of 1 The Beeches, Newtownabbey
APPLICANT:	CK Hutchison Networks (UK) Ltd

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

There were no public speakers to address this Item.

Proposed by Councillor Logue

Seconded by Alderman Smyth that planning permission be refused.

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

that planning permission be refused for the following reason:

- 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement; and Planning Policy Statement 3, Access, Movement and Parking, in that it has not been demonstrated that the proposed development, if permitted, would not prejudice the safety and convenience of road users because it has not been demonstrated that the proposed development would not be located within the required visibility splays.**

The Chair noted siting issues concerning such applications and a proposal to write to the Providers to raise the issue of future Telecoms Planning applications (Item 4.26).

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

ITEM 4.4 APPLICATION NO: LA03/2022/1047/F

PROPOSAL:	Proposed erection of 7 no. apartments to replace former dwelling and workshop, with associated parking, access and landscaping
SITE/LOCATION:	9 Nursery Park, Muckamore, Antrim, BT41 1QR
APPLICANT:	Orsson Homes Ltd

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

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

David Donaldson

In Support/Agent

Proposed by Councillor Flanagan

Seconded by Councillor Logue that the application be deferred for 1 month to allow Officers to write to the Department for Infrastructure Rivers Agency to expedite a consultation response for consideration at the November Planning Committee.

On the proposal being put to the meeting 7 Members noted in favour, 5 against and 0 absentions, it was agreed

that the application be deferred for one month to allow Officers to write to the Department for Infrastructure Rivers Agency to expedite a consultation response for consideration at the November Planning Committee.

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

ITEM 4.5 APPLICATION NO: LA03/2022/0795/O

PROPOSAL:	Proposed dwelling and garage in an existing cluster
SITE/LOCATION:	40m Northeast of 55 Hollybank Road, Parkgate, Ballyclare, BT39 0DL
APPLICANT:	Mr A G Scott

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

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

Peter Wilson
Robert Logan

In Objection
In Support/Agent

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

On the proposal being put to the meeting 8 Members voted in favour, 4 against and 0 abstentions, it was agreed

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

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

The Chairperson adjourned the meeting for a 5 minute comfort break.

ITEM 4.6 APPLICATION NO: LA03/2023/0459/F

PROPOSAL:	Two storey extension (2,794 gross sqm external) to the existing Sports Centre to include: a gym; fitness suites; physio room; student sports clubhouse with bar; teaching/event space; extended reception area; internal café space; changing rooms; equipment stores; plant rooms and ancillary multipurpose rooms. Associated site development works include soft and hard landscaping, footpath provision, electrical substation and all services
SITE/LOCATION:	Ulster University Jordanstown Sports Centre, land adjacent to UUJ Sports Centre, Shore Road, Newtownabbey, BT37 0JB
APPLICANT:	Ulster University

Alicia Leathem, 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 –

Tony Quinn

In Support/Agent

Proposed by Councillor Cosgrove
Seconded by Alderman Campbell that planning permission be granted.

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

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

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

Alderman Campbell left the Chamber during Item 4.7 and was therefore unable to vote.

ITEM 4.7 APPLICATION NO: LA03/2023/0014/F

PROPOSAL:	Erection of 2 storey building comprising 2no apartments, access and associated site works (in substitution for 1no detached dwelling as approved under LA03/2022/0008/F)
SITE/LOCATION:	Land 20 metres north-east of No. 1 Loughview Drive, Toomebridge, BT41 3UG
APPLICANT:	JFM Construction

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

Dermot Monaghan

In Support/Agent

Proposed by Councillor Webb

Seconded by Alderman Smyth that planning permission be granted

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

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

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

Alderman Campbell returned to the Chamber during Item 4.8 and was therefore unable to vote.

ITEM 4.8 APPLICATION NO: LA03/2023/0012/F

PROPOSAL:	Erection of 2 storey building comprising 2no apartments, access and associated site works (in substitution for 1no detached dwelling as approved under LA03/2022/0008/F)
SITE/LOCATION:	Land 30 metres north-west of No. 1 Loughview Drive, Toomebridge (access via new development, Bannfield Way)
APPLICANT:	JFM Construction

Ashleigh Wilson, Senior Planning Officer, introduced the Planning Report and associated Addendum Report to the Committee and made a recommendation to

refuse planning permission.

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

Dermot Monaghan

In Support/Agent

Proposed by Councillor Bennington

Seconded by Alderman Smyth that planning permission be refused.

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

that planning permission be refused for the following reason:

- 1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement (SPPS) and Policy QD1 of Planning Policy Statement 7 'Quality Residential Environments' in that the proposal fails to respect the site and the surrounding context that would be created with the erection of development pursuant to planning permission reference LA03/2022/0008/F (criterion 'a') and that the design and layout will create conflict with the permitted dwelling on Plot 11 of planning permission reference LA03/2022/0008/F by reason of overlooking and privacy intrusion (criterion 'h').**

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

ITEM 4.9 APPLICATION NO: LA03/2023/0442/F

PROPOSAL:	Change of use from a hairdressing salon to a restaurant with hot food takeaway
SITE/LOCATION:	Units 4 & 5, 142 Doagh Road, Newtownabbey, BT36 6BA
APPLICANT:	Hegan & Co. Ltd

Ashleigh Wilson, 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 –

Samuel George Parkinson
William Noteman

In Objection
In Support/Agent

Proposed by Councillor Foster

Seconded by Councillor Webb that planning permission be refused

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

that planning permission be refused for the following reasons:

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Planning Policy Statement 7, Quality Residential Environments, in that it has not been demonstrated that the development, if permitted, would not have a detrimental impact on neighbour amenity by way of noise and odour.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Planning Policy Statement 3, Access, Movement and Parking in that it has not been demonstrated that there are sufficient parking spaces to service the facility.

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

Councillor Cosgrove left and returned to the Chamber during Item 4.10 and was therefore unable to vote.

ITEM 4.10 APPLICATION NO: LA03/2023/0201/O

PROPOSAL:	2no semi-detached dwellings
SITE/LOCATION:	Land with outbuildings directly North of 122 Hydepark Road, Newtownabbey, BT36 4PZ
APPLICANT:	Gary Aiken

Alicia Leathem, Senior Planning Officer, introduced the Planning Report to the Committee and made a recommendation to grant outline planning permission.

There were no public speakers to address this Item.

Proposed by Councillor Flanagan

Seconded by Alderman Campbell that outline planning permission be granted

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

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

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

ITEM 4.11 APPLICATION NO: LA03/2023/0358/F

PROPOSAL: 5No. dwellings
SITE/LOCATION: Land 3m west of 99 Portmore Hall, Crumlin
APPLICANT: Bill Porter

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

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

ITEM 4.12 APPLICATION NO: LA03/2023/0546/S54

PROPOSAL: 41No. dwellings (Variation of Condition 2 from planning approval LA03/2021/0914/F) regarding mains sewer and Waste Water Treatment Works)
SITE/LOCATION: Land 30m North East of no 146 and opposite Nos. 141-147 Staffordstown Road, Randalstown, BT41 3LH
APPLICANT: Creeve Construction Ltd

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

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

ITEM 4.13 APPLICATION NO: LA03/2023/0572/O

PROPOSAL: Dwelling
SITE/LOCATION: 75m North East of 84 Ballymena Road, Doagh, Ballyclare, BT39 0RN
APPLICANT: Owen Kirk

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

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

ITEM 4.14 APPLICATION NO: LA03/2023/0488/O

PROPOSAL:	Dwelling and garage (Site 2)
SITE/LOCATION:	93m north east of 256 Seven Mile Straight, Crumlin, BT29 4YT
APPLICANT:	Steven Harrison

Johanne McKendry, Senior Planning Officer, introduced the Planning Report and associated Addendum Report for Items 4.14 and 4.15 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 –

Joe Magill

In Support/Agent

Proposed by Alderman Campbell

Seconded by Councillor Webb that outline planning permission be refused

On the proposal being put to the meeting 11 Members voted in favour, 1 against and 0 abstentions, it was agreed

that outline planning permission be refused for the following reasons:

- 1. The proposal is contrary to the policy 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 policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site does not represent a gap site within an otherwise substantial and continuously built up frontage.**
- 3. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal will create a ribbon of development and result in the suburban style build-up of development when viewed with existing buildings.**

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

ITEM 4.15 APPLICATION NO: LA03/2023/0487/O

PROPOSAL:	Site for proposed infill dwelling and garage (Site 1)
SITE/LOCATION:	34m north east of 256 Seven Mile Straight, Crumlin, BT29 4YT
APPLICANT:	Steven Harrison

Johanne McKendry, Senior Planning Officer, introduced the Planning Report and associated Addendum Report for Items 4.14 and 4.15 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 –

Joe Magill

In Support/Agent

Proposed by Alderman Smyth

Seconded by Councillor Cosgrove that outline planning permission be refused

On the proposal being put to the meeting 11 Members voted in favour, 1 against and 0 abstentions, it was agreed

that outline planning permission be refused for the following reasons:

- 1. The proposal is contrary to the policy 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 policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 8 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the application site does not represent a gap site within an otherwise substantial and continuously built up frontage.**
- 3. The proposal is contrary to the policy provisions contained in the Strategic Planning Policy Statement and Policy CTY 14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the proposal will create a ribbon of development and result in the suburban style build-up of development when viewed with existing buildings.**

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

ITEM 4.16 APPLICATION NO: LA03/2023/0569/F

PROPOSAL:	Erection of ball catch net
SITE/LOCATION:	Neillsbrook Pitches (approximately 20m south of No.6 Brackenburn, Randalstown)
APPLICANT:	Antrim and Newtownabbey Borough Council

Johanne McKendry, 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 Archibald-Brown
Seconded by Councillor Cosgrove that planning permission be granted.

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

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

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

Having declared an interest in Item 4.17 Councillor Flanagan left the meeting remotely.

ITEM 4.17 APPLICATION NO: LA03/2023/0545/F

PROPOSAL:	3G training pitch in place of grass pitch, 2.4m high fence & gates, 5m high ball stop fencing, replacement of existing 2.4m high fencing & gates, 8m high ball stop netting and floodlighting
SITE/LOCATION:	Lands immediately south of 81 and approx. 22m south of 38-46 Cloyne Crescent, Newtownabbey
APPLICANT:	Antrim and Newtownabbey Borough Council

Johanne McKendry, 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 Alderman Campbell
Seconded by Councillor Cosgrove that planning permission be granted.

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

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

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

Councillor Flanagan returned to the meeting remotely.

PART TWO GENERAL PLANNING MATTERS

ITEM 4.18

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS SEPTEMBER 2023

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

One (1) appeal was dismissed during September 2023 by the Planning Appeals Commission (PAC).

Planning application:	LA03/2021/0993/O
PAC reference:	2021/A0216
Proposed Development:	Infill Dwelling and domestic garage
Location:	40m east of 9a Creggan Road, Cranfield Randalstown

A copy of the decision was circulated.

One (1) appeal was allowed by the PAC in September.

Planning application:	LA03/2020/0551/O
PAC reference:	2022/A0112
Proposed Development:	Detached dwelling and garage
Location:	Lands 40m SE of 96 Jordanstown Road, Jordanstown, Newtownabbey

A copy of the decision was circulated.

Proposed by Alderman Campbell
Seconded by Alderman Smyth and agreed

that the report be noted.

NO ACTION

ITEM 4.19

P/PLAN/1 PROPOSAL OF APPLICATION NOTICES FOR MAJOR DEVELOPMENT SEPTEMBER 2023

Prospective applicants for all development proposals which fell 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 (1) PAN was registered during September 2023 the details of which were detailed.

PAN Reference:	LA03/2023/0693/PAN
Proposal:	Erection of 134 bed centre for mental health comprising treatment wards, staff and visitor facilities, management and operational spaces, health and well-being facilities, external landscaping and gardens, car parking, servicing facilities and associated ancillary works.
Location:	Antrim Area Hospital, Bush Road, Antrim, BT41 2RL.
Applicant:	Northern Health and Social Care Trust, Bretten Hall, Bush Road, Antrim BT41 2RL.
Date Received:	22 September 2023.
12 week expiry:	15 December 2023.

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 would be submitted, this must be accompanied by a Pre-Application Community consultation report which would outline the consultation that had been undertaken regarding the application and which would detail how this had influenced the proposal submitted.

Proposed by Alderman Campbell
Seconded by Alderman Smyth and agreed

that the report be noted.

NO ACTION

ITEM 4.20

P/FP/LDP1 PUBLICATION OF THE PLANNING APPEALS COMMISSION REPORT INTO THE DRAFT PLAN STRATEGY INDEPENDENT EXAMINATION

On 4 October 2023, the Council's Planning Section received notification from the Planning Appeals Commission (PAC) that the Antrim and Newtownabbey Independent Examination (IE) Report had now been forwarded to the Department for Infrastructure (DfI). The PAC also indicated that the release of the Report was solely a matter for DfI to consider.

Members were reminded that DfI had previously indicated that it was expected to take approximately 10 weeks to consider the content of the Report before it was released to the Council, alongside the Departmental Direction concerning the

adoption. It had been agreed at the September 2023 Planning Committee that the Chairman wrote to the DfI Permanent Secretary to again call for the sharing of the report with the Council directly upon its receipt by DfI.

Preparedness for Plan Strategy Adoption

Members were advised that in advance of the receipt of the Report, the Council's Forward Plan Team had prepared a draft work programme in relation to the Plan Strategy adoption process. Once the Council was in receipt of the Report, the timetable for adoption could then be finalised. The main elements of the work programme were detailed:

- Forwarding of PAC IE Report to DfI and their consideration;
- 2 week 'fact checking' exercise by the Council's Planning/Legal team;
- Receipt of Departmental Direction;
- Consideration of Report and modifications made in Direction;
- Prepare final draft of SA/EQIA/HRA/Rural Needs;
- Prepare web text and letters for consultation;
- Make Report and Departmental Direction public;
- Public consultation on revised SA/EQIA/HRA/Rural Needs;
- Consider reps to SA/EQIA/HRA/Rural Needs and prepare final;
- Graphic design work on Plan Text;
- Prepare web text and consultation letters, and advertisements;
- Capacity building event with Elected Members and Planning Officers;
- Adoption by Resolution of Full Council;
- Final Plan to Printers for publication; and
- Adoption of Plan – Notification letters: Belfast Gazette, local papers, website text, and DfI.

Proposed by Alderman Campbell
Seconded by Alderman Smyth and agreed

that the report be noted.

NO ACTION

ITEM 4.21

P/FP/1 CORRESPONDENCE FROM DEPARTMENT OF AGRICULTURE, ENVIRONMENT AND RURAL AFFAIRS REGARDING PLANNING CONSULTATIONS UPDATE

As agreed at the September 2023 Planning Committee meeting, the Chairman of the Planning Committee wrote to the DAERA Permanent Secretary seeking a meeting to discuss the current situation regarding planning consultations and response times.

The Planning Section had received an acknowledgement of the correspondence from DAERA, which advised that they were considering the request and would respond in due course.

Proposed by Alderman Campbell
Seconded by Alderman Smyth and agreed

that the report be noted.

NO ACTION

ITEM 4.22

P/FP/LDP1 LOCAL DEVELOPMENT PLAN – STEERING GROUP MINUTES OCTOBER 2023

The most recent meeting of the Local Development Plan Steering Group took place on 6 October 2023 (the Minutes were circulated).

Proposed by Alderman Campbell
Seconded by Alderman Smyth and agreed

that the report be noted.

NO ACTION

ITEM 4.23

P/FP/LDP8 REVIEW OF THE PLANNING (LOCAL DEVELOPMENT PLAN) REGULATIONS (NORTHERN IRELAND) 2015

On 1 September 2023, the Council received notification from Mr Alistair Beggs, Chief Planner and Director of Regional Planning Policy and Casework with regard to the Department for Infrastructure, Strategic Planning's ('the Department') review of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 (circulated).

Members were reminded that one of the agreed legislative actions following the Review of the Implementation of the Planning Act (NI) 2011, and the recommendations made in the NI Audit Report on Planning in Northern Ireland, was a review of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015 S.R 2015 No. 62) (The Regulations). The review was considering key areas of the Local Development Plan process including: (1) the legislative requirements surrounding consultation, (2) the preparation of Timetables, (3) publicity and notification, and (4) submission of documentation.

The Department had provided a pro-forma questionnaire response table and requested that feedback from individual Councils was directed in the first instance to Ms. Sandra Adams, Local Development Plan – Principal Planning Officer, Mid and East Antrim Borough Council, and Planning Improvement Programme, Local Government lead.

The matter was discussed at the quarterly Development Plan Working Group meeting which was held on 14 September 2023, hosted by Fermanagh and Omagh District Council. Officers within the group had drafted a combined response to the questionnaire table (circulated). In addition to this, Officers within the Council's Forward Plan team would now consider this draft report and draft an individual response to the Department; a copy of the response would be circulated to Members in advance of submission.

Following the review, the Department intended to consult with the public and wider stakeholders on any proposed revisions to the Regulations. It was anticipated that this public consultation exercise would take place early in 2024.

Proposed by Alderman Campbell
Seconded by Alderman Smyth and agreed

- (a) that the report be noted; and**
- (b) that Officers from the Forward Plan Team draft a response to the review on behalf of the Council for submission on/before 27 October 2023.**

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

ITEM 4.24

P/FP/LDP28 'TREE PROTECTION: STRENGTHENING OUR ROOTS', AN OVERVIEW REPORT BY THE NORTHERN IRELAND PUBLIC SERVICES OMBUDSMAN SEPTEMBER 2023

On 29 September 2023, the Council received notification from Ms. Margaret Kelly, the Northern Ireland Public Services Ombudsman (NIPSO) with regard to their report 'Tree Protection: Strengthening our Roots'; an overview report with recommendations to the Department for Infrastructure (DfI) and Local Councils for improvement (circulated).

Members were reminded that in July 2022, NIPSO wrote to all Councils and DfI proposing an 'Own Initiative investigation', under Section 8 of the Public Services Ombudsman Act (NI) 2016, into how public bodies effectively, administered and enforced the statutory protection of trees i.e. Tree Preservation Orders (TPOs). At the time, the Council's Planning Section provided NIPSO with considerable information in relation to how the Council managed the promotion and control of protected TPOs across the Borough.

NIPSO had advised that after careful consideration and having regard to published criteria, they had chosen not to proceed to full investigation at this time. However, in account of the information gathered during the proposal stage, NIPSO had set out their observations and recommendations of the process in an overview report 'Tree Protection: Strengthening Our Roots' (circulated).

NIPSO had requested that the Council's Planning Section consider the list of recommendations made and check for factual accuracy with a view to ensuring implementation of same. Members were advised that Officers within the Enforcement Section had reviewed the report and in principle, supported the range of recommendations suggested.

Proposed by Alderman Campbell
Seconded by Alderman Smyth and agreed

that Officers from the Planning Enforcement Section respond to NIPSO noting general acceptance of the recommendations made within the report.

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

ITEM 4.25

P/FP/LDP1 LOCAL DEVELOPMENT PLAN, QUARTERLY UPDATE (Q2) JULY TO SEPTEMBER 2023

A progress report was provided on a quarterly basis to the Planning Committee on the progress of the Council's Local Development Plan. The report covered the second quarter (Q2) of the 2023-24 business year (July to September 2023).

Procurement

Members were reminded that at the September 2023 Planning Committee, an Item was presented which sought agreement in principle to launch a procurement exercise to engage professional consultants to develop an evidence base for 'Homes' and 'Employment', in support of the Local Policies Plan (LPP).

The new LDP process was heavily evidence-driven and now included various legislative tests including the requirement for the LPP to be consistent with the Plan Strategy and to take account of the Regional Development Strategy, the Strategic Planning Policy Statement and the Council's Community Plan. These tests would help determine whether the Plan was 'Sound' through the Independent Examination process. The decisions which the Council made through its LPP would therefore require the development of a robust evidence base.

As a consequence, agreement was now being sought in principle to launch a procurement exercise in relation to the topic of 'Landscape' to secure the services of a Chartered Landscape Architect. This exercise would provide a basis for discussion with Members and ultimately support the identification, mapping and designation of Strategic Landscape Policy Areas; Local Landscape Policy Areas; and Coastal Policy Areas in the LPP. The Planning Section had previously sought the professional input of a Chartered Landscape Architect with two separate procurement processes, however were unsuccessful in attracting any bids at that time.

A successful procurement exercise was undertaken in August 2023 to seek the professional input of an Ecologist to assist the Forward Plan team to undertake a bespoke element of Strategic Landscape work; consideration of Sites of Local Nature Conservation Importance (SLNCIs).

Local Development Plan, Draft Plan Strategy, Independent Examination

Members were reminded that at the September 2023 Planning Committee, it was agreed that the Chairman of the Planning Committee would correspond with the Department for Infrastructure (DfI) Permanent Secretary to outline the Council's dissatisfaction regarding the ongoing issues around the very unfortunate delay in the Local Development Plan process, and to request the sharing of the Planning Appeals Commissions (PAC) Independent Examination (IE) Report with the Council directly upon its receipt by DfI.

Correspondence was issued to Mr Denis McMahon on 25 September 2023, the recently appointed DfI Permanent Secretary (circulated). A holding response was received on 6 October 2023 and reply would follow in due course.

Members were advised that on 4 October 2023, the Council's Planning Section received notification from the PAC that the Antrim and Newtownabbey IE Report had now been forwarded to DfI, and that the release of that report was solely a matter for the Department.

Local Development Plan, Planning Improvement Programme

Members were also reminded of the 'Joint Planning Improvement Work Programme' which was currently being rolled out by DfI and the eleven (11) councils. The Council hosted a workshop event on 11 October 2023 in Mossley Mill to consider the provision of training for statutory consultees involved in the Local Development Plan process, focusing on their role in the plan-making process at Plan Strategy and Local Policies Plan stage, including the need to adequately resource roles.

The workshop event was attended by representatives from both the eleven (11) Councils and a range of statutory consultees. A summary report of the event with recommended actions was currently being drafted by the Department and would be shared with Members in due course.

Lisburn & Castlereagh City Council, Local Development Plan – Update

Members were advised that the Council received notification on 4 October 2023 (circulated) that as of 26 September 2023, Lisburn & Castlereagh City Council (LCCC) had adopted its Local Development Plan 2032.

The Plan Strategy and all associated documents would be available to view at:
www.lisburncastlereagh.gov.uk/LDP

Proposed by Alderman Campbell
Seconded by Alderman Smyth and agreed

- (a) that the procurement exercise associated with the Landscape work stream be progressed;**
- (b) that the update from the Planning Appeals Commission on the release of the Antrim and Newtownabbey Draft Plan Strategy, Independent Examination Report to DfI be noted;**
- (c) that the correspondence from the Chair of the Planning Committee to the DfI Permanent Secretary be noted;**
- (d) that the update on the Joint DfI/Council, Local Development Plan, Performance Improvement workshop event be noted; and**
- (e) that the update on the publication of LCC's Draft Plan Strategy be noted.**

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

ITEM 4.26

P/FP/LDP/059 TELECOMS PLANNING APPLICATIONS

Following calls from the industry for dedicated plans to identify barriers and measures to assist the deployment of essential mobile networks, a new Mobile Action Plan (MAP) for Northern Ireland was published in 2022. This included a number of actions including a programme of work to explore where the planning system can further support digital connectivity and to consider updates to planning guidance and best practice documentation. As part of the proposal, a Northern Ireland Barrier Busting Taskforce had been established, including one representative from each Council as well as a planning representative from Belfast City Council. Mobile UK's Director of Policy and Communications, the trade body for the UK's mobile network operators (EE, Three, Virgin Media O2, and Vodafone) was also directly involved in this work.

The Council's Planning Committee had considered a number of applications for Telecommunications Installations over recent months which had resulted in a refusal. A number of common themes had been identified by Officers including proposals to locate masts within visibility splays which were unacceptable. Despite the number of refusals, such proposals continue to come forward to the Planning Committee, therefore it was recommended that the Chair of the Planning Committee would write to Gareth Elliott, Director of Policy and Communications for Mobile UK to outline a summary of the main issues that resulted in a refusal from a planning perspective, a list of applications including operator/refusal reasons and additionally seek an update on engagement with operators in relation to planning.

Proposed by Alderman Campbell
Seconded by Alderman Smyth and agreed

that the Chair of the Planning Committee writes to Mobile UK to raise the issue of telecoms applications within the Borough.

ACTION BY: Majella McAlister, Director of Economic Development & Planning

PROPOSAL TO PROCEED 'IN CONFIDENCE'

Proposed by Alderman Smyth
Seconded by Alderman Campbell and agreed that

the following Committee business be taken In Confidence.

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

PART TWO OTHER PLANNING MATTERS – IN CONFIDENCE

ITEM 4.27

IN CONFIDENCE P/FP/LDP/056 NORTHERN IRELAND WATER (NIW) ENGAGEMENT

[REDACTED]

[REDACTED]

[REDACTED]

Proposed by Alderman Campbell
Seconded by Councillor Webb and agreed

that the report be noted.

NO ACTION

PART ONE DECISIONS ON ENFORCEMENT CASES – IN CONFIDENCE

ITEM 4.28 **IN CONFIDENCE** ENFORCEMENT CASE:

[REDACTED]

Simon Thompson, Local Development Plan & Enforcement Manager, introduced the Enforcement Report to the Committee and made a recommendation 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 and that a 6 week period of compliance be applied.

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

ITEM 4.29 IN CONFIDENCE ENFORCEMENT CASE: [REDACTED]

Simon Thompson, Local Development Plan & Enforcement Manager, introduced the Enforcement Update to the Committee and made a recommendation that enforcement action be progressed in the case as outlined in the report with the detail of this delegated to appointed Officers. An update was also provided in relation to the review of the existing Tree Preservation Orders.

Proposed by Alderman Smyth
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

PROPOSAL TO MOVE OUT OF 'IN CONFIDENCE'

Proposed by Councillor Archibald-Brown
Seconded by Councillor Cosgrove and agreed

that any remaining Committee business be conducted in Open Session.

The Chairperson advised that audio recording would recommence.

There being no further Committee business the Chairperson thanked Members for their attendance and the meeting concluded at 9.58pm.

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.