



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE
HELD IN MOSSLEY MILL ON MONDAY 20 JULY 2020 AT 6.00 PM**

- In the Chair** : Alderman P Brett
- Committee Members Present** : Aldermen - F Agnew and T Campbell
Councillors – J Archibald, S Flanagan, R Kinnear,
R Lynch, M Magill, S Ross and B Webb
- Non-Committee Members Present** : Councillor V McWilliam
- Officers Present** : Deputy Chief Executive - M McAlister
Borough Lawyer & Head of Legal Services – P Casey
Head of Planning – J Linden
Principal Planning Officer – B Diamond
ICT Change Officer – A Cole
System Support Officer - Colin Bell
Member Services Officer – S Boyd

CHAIRPERSON'S REMARKS

The Chairperson welcomed Committee Members to the July Planning Committee Meeting and 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 attend the Planning Committee meeting. The minutes and audio recording will be published on the Council's website.

The Chairperson reminded Members that, in line with current operational procedures for the Committee, the meeting would commence at 6.00 pm to consider Part One Agenda Items as well as any other pre-notified business arising, and that consideration of Planning Applications would commence at 6.30 pm. In order to facilitate the livestream the Chairperson advised that Part One In Confidence Item 3.6 would be taken following Part Two Planning Applications.

The Chairperson further advised Members that an Addendum report relating to Item 3.11 had been circulated to Members with hard copies being made available in the Chamber.

The Borough Lawyer & 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

Chief Executive - J Dixon
Councillors - H Cushinan and R Swann

2 DECLARATIONS OF INTEREST

None

PART ONE GENERAL PLANNING MATTERS

ITEM 3.1

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during June 2020 under delegated powers was circulated for Members attention together with information received this month on planning appeals.

Members noted that the enclosure included a separate list of 5 appeals registered on the Planning Appeals Commission website that the Council had yet to be formally notified of due to delays being experienced by the PAC arising from COVID-19. This list included details of the 2 Non-Determination appeals presented to the June Committee meeting.

In addition, Members noted that the list of delegated decisions for June included an approval for the application below that was presented to the February meeting of the Committee. Members had agreed to defer the application to provide an opportunity to the applicant to submit a bat survey by June 2020 and furthermore provided delegated authority to Officers to issue a grant of planning permission subject to standard conditions if the bat survey did not present an impediment to the development proposed. On receipt of the bat survey and following consultation with NIEA, Officers were able to process the application to an approval on 8 June 2020.

APPLICATION NO	LA03/2019/0707/F
DEA	DUNSILLY
PROPOSAL	Proposed demolition of existing store and extension to rear of existing public house comprising store and 2no self-catering apartments
SITE/LOCATION	2 Taylorstown Road, Moneyglass, Toomebridge, BT41 3PU
APPLICANT	Colm McCoy

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

the report be noted.

NO ACTION

ITEM 3.2

P/PLAN/1 - NORTHERN IRELAND PLANNING STATISTICS – ANNUAL STATISTICAL BULLETIN FOR 2019-2020

The Northern Ireland Planning Statistics 2019-20 Annual Statistical Bulletin, a copy of which was circulated, was released on 2 July 2020 by the Department for Infrastructure's Analysis, Statistics and Research Branch. This was the fifth annual statistical report on activity and performance since the transfer of planning powers to Councils in 2015.

The figures showed that during 2019-20, the total number of planning applications received in Northern Ireland was 12,207, a decrease of nearly 3% on the previous financial year. The figures also highlighted that 11,747 decisions were issued across Northern Ireland, a decrease of over 3% on the previous year.

Notwithstanding the decrease in applications received across Northern Ireland during 2019-20, the local figures for the Antrim and Newtownabbey Borough showed an increase of almost 5% from 744 applications received in 2018-19 to 778 received during 2019-20. During the same period 747 decisions were issued by the Planning Section, similar to the number in 2018-19. The Council recorded an overall approval rate of 94.8% which compared favourably with the Northern Ireland average of 94%.

There were 221 live cases in the Borough at 31st March 2020 slightly below the number (226) recorded at 31st March 2019. Members noted that the absolute number of applications more than 12 months old reduced to single figures (8 applications) and this equated to some 3.6% of the Council's live planning applications. This was the lowest proportion of all 11 Councils and also represented the lowest number of older applications recorded at year end by the Council since transfer demonstrating the Planning Section's commitment to reduce backlog.

Performance against statutory targets

In relation to performance against targets the Department for Infrastructure (DfI) figures showed that the Council met all the statutory targets this year, one of only two Councils to do so. This was also the second year running the Council had met the statutory targets and once again demonstrated the commitment of the staff in the Planning Section to work in an efficient and effective manner.

Major Applications

The Council took on average 24.6 weeks to process and decide **Major** planning applications during 2019-20 against the target of 30 weeks. This performance ranks second out of the 11 Councils, is well ahead of the NI average of 52.8 weeks, and represented an improvement on the position recorded last year. In total 10 Major applications were decided by the Committee during 2019-20, comprising 7 approvals and 3 refusals. There were 2 major applications withdrawn. The Council

recorded the second highest proportion of major applications processed within the target at 58.3% compared to an average across all Councils of 26.1%. Given the economic importance of the major caseload to the Borough and to assist recovery from COVID-19, the Planning Section continues to prioritise this work area.

Local Applications

The Dfl figures showed that the Council took on average 9.4 weeks to process and decide **Local** planning applications during 2019-20 against the target of 15 weeks. This performance was a significant improvement against 2018-19; marks the first time the Council has recorded an average performance under 10 weeks; and ranked second out of the 11 Councils where an average processing time of 14 weeks across all Councils has been recorded. In relation to the proportion of cases processed within target Members noted that the Council ranked first out of all 11 Councils with over 80% of cases processed, an improvement of some 10% over 2018-19.

Enforcement

In relation to enforcement the Dfl figures highlight that the Council's Planning Enforcement Team concluded over 98% of cases within 39 weeks against the performance target of 70%. The team recorded an average time of 7 weeks, to process 70% of enforcement cases to target conclusion compared to an average of 25 weeks across all Councils. This maintained the Council's strong performance recorded over the last 4 years in enforcement and once again the Council ranked first out of all Councils on the two processing targets.

Summary

In summary, the Council has again improved its performance overall this year when measured against the 3 statutory indicators, meeting all targets for the second year running. In addition, the backlog of applications over 12 months old had been reduced to single figures. The Council ranked first amongst all 11 Councils on three of the statutory performance measures and second in relation to the remaining three. Read in their entirety, the statistics suggest that the Council's Planning Section is the top performing Local Planning Authority in Northern Ireland.

Proposed by Councillor Webb

Seconded by Councillor Lynch and unanimously agreed that

the report be noted.

NO ACTION

ITEM 3.3

CONSULTATION BY THE DEPARTMENT FOR INFRASTRUCTURE (DFI) UNDER ARTICLE 13 OF THE PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER (NI) 2015 – SECTION 54 APPLICATION MADE TO DFI TO VARY PLANNING CONDITIONS ATTACHED TO PLANNING PERMISSION LA03/2019/0751/F

The Department for Infrastructure had issued a consultation to the Council under Article 13 of the Planning (General Development Procedure) Order 2015 for the following Section 54 application (copy circulated).

Application Reference: LA03/2019/0751/F
Proposal: Planning Application for modification of planning condition No. 7 (to increase annual waste tonnage from 180,000 to 280,000 tonnes per annum) and condition 11 (cell numbering/order of phasing) of planning approval Ref: U/2014/0096/F which was for a quarry and inert landfill.
Location: Hightown Landfill, 59 Upper Hightown Road, Newtownabbey BT14 8RR
Applicant: Macwill Services

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

This Section 54 application is seeking to vary two conditions attached to planning permission U/2014/0096/F for a quarry and inert landfill site that was processed as a retained application by the Department for Infrastructure and ultimately approved in December 2017 following consultation with the Council.

As the application is seeking to vary conditions attached to a planning permission granted by the Department, the current legislative framework introduced on the transfer of the bulk of planning responsibilities to Councils in April 2015 requires that the Section 54 application be processed and determined by the Department for Infrastructure (DfI).

The application proposes (a) to increase the annual throughput of the approved facility by 100,000 tonnes from 180,000 to 280,000 tonnes waste per annum. The applicant has indicated this is necessary as the current limitation would not be sufficient to meet market demand for inert infilling in future years; and (b) to amend the cell numbering on the approved plans to assist in the orderly development and restoration of the site. Further detail on the applicant's rationale for these changes is provided in a supporting statement submitted to accompany the application, a copy of which was circulated for information.

The Council is one of a number of bodies which has been consulted on this application by DfI. Any comments made by the Council would be considered as part of the processing of the application together with all other consultation replies and other representations received. In addition, while the Council is a statutory consultee, there is no obligation on the Council to provide a corporate view on the development.

When considering the application DfI will follow the procedure laid down in Article 21 of the Planning (General Development Procedure) Order (NI) 2015. Under this legislative provision, DfI may cause a Public Local Inquiry to be held by the Planning Appeals Commission or a person appointed by the Department. Where a public inquiry is not held, Article 21 sets out that the Department must, before determining the application, serve notice in writing on the applicant and the appropriate Council indicating the decision it proposes to make on the application. Within 28 days of such notice the applicant or Council may request an opportunity of appearing before and being heard by the Planning Appeals Commission or a

person appointed by the Department for that purpose. Whichever route is followed the decision of the Department on these applications shall be final.

There were a number of options available to the Council in responding to the consultation by Dfl:

1. Provide a corporate view in support of the development.
2. Provide a corporate view opposing the development.
3. Provide no corporate view on the development. In this case individual Members or parties may express support for or object to the development.
4. Linked to any of the above options indicate corporately whether the Council would or would not support the holding of a Local Public Inquiry.

A proposal by Councillor Webb that Members respond on an individual or Party Political basis and that Council support the holding of a local public enquiry did not receive a seconder.

Proposed by Alderman Brett

Seconded by Councillor Lynch and unanimously agreed that

Members respond on an individual or Party Political basis and that Council takes no corporate view on this application.

ACTION BY: John Linden, Head of Planning

ITEM 3.4

P/PLAN/016 CONTRACT AWARD FOR REPLACEMENT OF THE NI PLANNING PORTAL

Members were aware that the Council recently agreed to participate in the procurement of a new Regional Planning IT system to replace the current NI Planning Portal.

The Department had written to the Council (copy circulated) to confirm that on 26 June 2020 a £14m contract was awarded to Terraquest to deliver the new modern regional IT system. Work would now be advanced with the new system scheduled to begin rollout towards the end of 2021.

Following the award of contract and the issuing of a Press Release by the Department the Council also issued its own Press release. Copies of both were circulated for Members information.

Proposed by Councillor Flanagan

Seconded by Councillor Lynch and unanimously agreed that

the report be noted.

NO ACTION

ITEM 3.5

P/FP/LDP 1 LOCAL DEVELOPMENT PLAN; QUARTERLY UPDATE APRIL 2020 TO JUNE 2020

The Council's Local Development Plan LDP Timetable advises that progress reports would be submitted on a quarterly basis to the Planning Committee. This report covered the first quarter of the 2020-21 business year (April 2020 to June 2020).

Coronavirus (COVID-19) Pandemic

As the Council responds to coronavirus (COVID-19), the Forward Planning team is continuing to progress work on the preparation of the Local Development Plan, albeit within a more limited capacity.

In light of the pandemic, Officers have been reviewing the Council's Statement of Community Involvement (SCI) to ensure continued compliance with the Planning (SCI) Regulations (NI) 2015.

Following the Chief Planner's Update (No.6) issued on 1 May 2020, Members noted that the Department had provided a further 3 months flexibility for LDP Timetables from that previously agreed. This allowed for a maximum of 6 months deviation from the estimated timescales outlined in a LDP Timetable before a Council needs to formally revise its published document. On that basis, the Council now has until September 2020 to submit the draft Plan Strategy documentation to DfI/PAC to cause an Independent Examination into the Plan document.

Preparation for Independent Examination

In preparation for Independent Examination of the draft Plan Strategy before the Planning Appeals Commission (PAC), Officers are continuing to prepare the following documentation:

1. Collation of electronic and hard copies of LDP documentation (from publication of the Statement of Community Involvement through to publication of the draft Plan Strategy);
2. Draft Plan Strategy Public Consultation Spreadsheet and Main Issues Report: A detailed summary of all the issues identified as a result of representations to the draft Plan Strategy public consultation (including counter representations) has been captured in a spreadsheet. This document provides a draft response by Officers to all the issues raised. Members are reminded that a total of 122 written representations were made in response to the formal public consultation (undertaken from 26 July to 30 September 2019) on the Council's Local Development Plan draft Plan Strategy. In addition, a summary of the main issues raised is being prepared in a separate Main Issues Report. Following consultation to be programmed with Members over the summer and subject to formal Council approval, it is expected that both these documents will be submitted to DfI/PAC by the end of September;
3. Soundness Report: In compliance with the Department's Development Plan Practice Note 6 'Soundness' (May 2017) Officers have drafted a comprehensive Soundness Report relating to the draft Plan Strategy.

Section 102 (2) (b) of the 2011 Planning Act states that a Council must not submit a Development Plan document to the Department unless it considers that the document is ready for Independent Examination (IE).

Section 10(6) provides that the purpose of the IE is to determine:
(a) whether the document submitted i.e. the draft Plan Strategy, satisfies the legislative and procedural requirements relating to it; and
(b) whether it is sound.

Accordingly, the Soundness Report forms a key requirement of the documentation to be submitted to DfI/ PAC for an Independent Examination to be held into the draft Plan Strategy. Officers are currently working through this document with the Council's Legal Services team.

4. Position Papers: A number of position papers are being prepared in relation to matters raised in consultation responses relating to the Council's approach to housing in the draft Plan Strategy with a particular focus on the implications of the refreshed Housing Growth Indicators published by DfI and affordable housing. In addition, a position paper is being prepared to consider the impact of COVID 19 on our evidence base for the economy.

Other Matters

Whilst the Forward Planning Team continues to engage electronically with statutory agencies during the pandemic regarding plan matters and cross boundary issues, no formal meetings took place during this period.

Proposed by Councillor Lynch
Seconded by Alderman Brett and unanimously agreed that

the report be noted.

NO ACTION

ITEM 4.0

ANY OTHER BUSINESS

There being no other business the Chairperson advised that there would be a short interval, when the remainder of Committee business would resume.

Meeting reconvened at 6.30pm.

CHAIRPERSON'S REMARKS

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

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.

The Chairperson advised Members of a technical issue which would prevent the livestream of the meeting. He further advised that he had consulted the Borough Lawyer and they were in agreement that as there were no Public Speakers the meeting could proceed as provided for within the Protocol, and that the audio recording would be made available on the website.

1 APOLOGIES

Chief Executive - J Dixon
Councillors - H Cushinan and R Swann

2 DECLARATIONS OF INTEREST

None

PART TWO PLANNING APPLICATIONS

ITEM 3.7 APPLICATION NO: LA03/2020/0031/F

PROPOSAL:	Retention of existing mixed use retailer
SITE/LOCATION:	Retail Warehouse Unit 2, The Junction Factory Outlet & Retail Park, 111 Ballymena Road, Antrim
APPLICANT:	Dealz

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

There were no public speakers to address this item.

Proposed by Councillor Magill
Seconded by Councillor Ross and

on the proposal being put to the meeting 9 Members voted in favour, 1 against and 0 abstentions, it was agreed

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

ACTION BY: John Linden, Head of Planning

ITEM 3.8 APPLICATION NO: LA03/2019/0928/F

PROPOSAL: Erection of 2no. detached dwellings (and retention of existing dwelling)
SITE/LOCATION: 34 Glebecoole Park, Newtownabbey, BT36 6HX
APPLICANT: Stephen Heatley

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

ACTION BY: John Linden, Head of Planning

ITEM 3.9 APPLICATION NO: LA03/2020/0258/DCA

PROPOSAL: Demolition of dwelling and outbuildings
SITE/LOCATION: 51b Riverside, Antrim
APPLICANT: Mr John Gribbin

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

ACTION BY: John Linden, Head of Planning

ITEM 3.10 APPLICATION NO: LA03/2020/0260/F

PROPOSAL: Replacement of redundant non-residential building and yard with single storey dwelling and garage including lands returned to grassland
SITE/LOCATION: Lands 20m NW of 46 Kingsmoss Road, Newtownabbey
APPLICANT: David Reid

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

There were no public speakers to address this item.

Proposed by Alderman Campbell

Seconded by Alderman Agnew and 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 Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this**

development is essential in this rural location and could not be located within a settlement.

2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY1 and CTY 3 of Planning Policy Statement 21, Sustainable Development in the Countryside as:
 - (a) it has not been demonstrated that the proposal will bring significant environmental benefits to the locality;
 - (b) the dwelling is proposed to be located outside the established curtilage of the existing property; and
 - (c) the proposed dwelling would have a significantly greater visual impact than the building to be replaced.

ACTION BY: John Linden, Head of Planning

ITEM 3.11 APPLICATION NO: LA03/2020/0278/O

PROPOSAL:	Lands 20m NW of 46 Kingsmoss Road, Newtownabbey
SITE/LOCATION:	Adjacent to and Approx. 45m North of 56 Carnanee Road, Templepatrick
APPLICANT:	Mrs Mary Wylie

Barry Diamond, Principal Planning Officer, introduced the Planning Report and associated Addendum Report to the Committee and made a recommendation to refuse outline planning permission.

There were no public speakers to address this item.

Proposed by Councillor Flanagan
Seconded by Councillor Webb and unanimously agreed

that outline planning permission be refused for the following reasons:

1. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies CTY1 and CTY10 of PPS 21: Sustainable Development in the Countryside, and does not merit being considered as an exceptional case in that it has not been demonstrated that the farm business is currently active and established.
2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY 13 of PPS 21: Sustainable Development in the Countryside, in that a dwelling on the site proposed would fail to integrate into the landscape.

ACTION BY: John Linden, Head of Planning

ITEM 3.12 APPLICATION NO: LA03/2019/0822/F

PROPOSAL:	Proposed dwelling and integral garage (Change of house type in substitution of approval LA03/2017/1027/RM)
SITE/LOCATION:	Lands 50m NE of 101 Oldstone Road, Killealy, Muckamore
APPLICANT:	Miss Robyn McBride

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

There were no public speakers to address this item.

Proposed by Councillor Flanagan
Seconded by Alderman Campbell 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

The Chairperson advised that Part One In Confidence Item 3.6 would be taken at this point of the meeting.

PROPOSAL TO PROCEED 'IN CONFIDENCE'

Proposed by Councillor Lynch
Seconded by Councillor Flanagan and agreed that

the following Committee business be taken In Confidence.

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

ITEM 3.6 - IN CONFIDENCE

P/PLAN/34 – PLANNING ENFORCEMENT REPORT 2019-2020 – QUARTER 4

The Northern Ireland Planning Statistics 2019-20 Statistical Bulletin, incorporating Quarter 4, was released on 2 July 2020 by the Department for Infrastructure's (DfI) Analysis, Statistics and Research Branch. It included information on the Council's performance on enforcement cases measured against the statutory performance targets set by DfI.

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

The DfI figures highlighted that the Council's planning enforcement team opened 103 cases during the quarter, compared to 111 during the same period last year. 145 cases were closed, compared to 137 during the same period last year. The Section recorded an average time of 7 weeks, to process 70% of enforcement cases to target conclusion compared to 10 weeks during the same period last year. There

were 2 prosecutions initiated during the quarter, compared with 5 during the same period last year.

Members noted that the Council had maintained its status as the top performing Planning Enforcement Team in Northern Ireland during both the quarter and for the period 2019-20. This is the fourth consecutive year that the Planning Enforcement team has recorded this achievement and demonstrates the commitment of the team, working in conjunction with Members, to efficiently process enforcement cases to a satisfactory resolution.

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

the report be noted.

NO ACTION

PROPOSAL TO MOVE OUT OF 'IN CONFIDENCE'

Proposed by Councillor Lynch
Seconded by Councillor Magill and agreed that

any remaining Committee business be conducted in Open Session.

There being no further Committee business the Chairperson thanked Officers for their assistance during his term as Chairperson of the Committee, Vice Chairperson Councillor Lynch for her support, and the Members of the Committee for working to deliver the best outcome for residents of the Borough. He extended his best wishes to the incoming Chairperson and wished the Committee continued success in their role.

The meeting concluded at 6.50 pm.

MAYOR