



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE
HELD IN MOSSLEY MILL ON TUESDAY 19 MARCH 2024 AT 6.00 PM**

- In the Chair** : Councillor R Foster
- Committee Members Present** : Alderman M Magill
Councillors – A Bennington, S Cosgrove, H Cushinan, S Flanagan, R Kinnear, AM Logue and B Webb
- Non-Committee Members Present** : Councillor P Dunlop
- Non-Committee Members Remotely** : Councillor L Smyth
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|------------------------|---|---|---|
| Public Speakers | : | Councillor Leah Smyth
Councillor Paul Dunlop
Jenny Mawhinney
Ursula McCollam
Gary Dodds
Martin Mallon
Ursula McCollam
Gary Dodds
Martin Mallon
James Greer
Phillip Brett MLA
Robert Logan
Ally Lyons
Andy Stephens
Les Ross | In Objection (Item 3.1)
In Objection (Item 3.1)
In Support/Agent (Item 3.1)
In Objection (Item 3.3)
In Support/Agent (Item 3.2)
In Support/Applicant (Item 3.2)
In Objection (Item 3.3)
In Support/Agent (Item 3.3)
In Support/Applicant (Item 3.3)
In Support/Applicant (Item 3.4)
In Support (Item 3.4)
In Support/Agent (Item 3.5)
In Objection (Item 3.6)
In Support/Agent (Item 3.6)
In Support/Agent (Item 3.7) |
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- Officers Present** : Chief Executive – R Baker
Director of Economic Development and Planning - M McAlister
Deputy Director of Planning & Building Control – S Mossman
Borough Lawyer & Head of Legal Services – P Casey
Council Lawyer – A McDowell
Head of Planning Development Management – B Diamond
Head of Corporate Affairs – J McIntyre
Marketing Officer – N Foster-Irvine
Senior Planning Officer – J McKendry
Senior Planning Officer – A Leathem

Senior Planning Officer – A Wilson
ICT Manager – P Allan
Member Services Officer – C McIntyre

CHAIRPERSON'S REMARKS

The Chairperson welcomed Committee Members to the March Planning Committee Meeting and extended congratulations to Councillor Archibald-Brown on the recent birth of her baby. The Chairperson reminded all present of the protocol for speaking, timeframes accorded and of the audio recording procedures.

Members were advised by the Chairperson that Addendum reports relating to Items 3.4 and 3.10, the Site Visit report, and an updated speakers' list had been circulated to Members in advance of the meeting, with hard copies being made available in the Chamber.

The 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

Aldermen Campbell and Smyth
Councillor Archibald-Brown

2 DECLARATIONS OF INTEREST

Item 3.1 – Councillor Foster
Item 3.4 – Alderman Magill

PART ONE PLANNING APPLICATIONS

Having declared an interest in Item 3.1, Councillor Foster left the Chamber, and was therefore unable to vote. The Vice Chairperson, Councillor Cushinan, assumed the role of Chairperson.

ITEM 3.1 APPLICATION NO: LA03/2023/0131/F

PROPOSAL:	Change of use of existing waste transfer building to a thermal recovery building utilising a 3MW combined heat and power plant and including external changes to the building involving an increase in height, installation of 2no. stacks and air-cooled condensers and other associated development and site works such as drainage infrastructure and landscaping.
SITE/LOCATION:	6A Caulside Drive, Newpark Industrial Estate, Antrim, BT41 2DU
APPLICANT:	McQuillan Envirocare Ltd

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

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

Councillor Leah Smyth	In Objection
Councillor Paul Dunlop	In Objection
Jenny Mawhinney	In Support/Agent

Proposed by Councillor Cosgrove
Seconded by Councillor Webb that planning permission be granted.

On the proposal being put to the meeting 5 Members voted in favour, 1 against and 2 abstentions, and 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 Foster returned to the Chamber and resumed the role of Chairperson.

Councillor Webb left the Chamber during Item 3.2 and was therefore unable to vote.

ITEM 3.2 APPLICATION NO: LA03/2022/0597/F

PROPOSAL:	Proposed erection of 98 residential units in a mix of detached, semi-detached and apartments with associated car parking, amenity space, solar PV panels, retention and enhancement of existing open spaces & creation of new open space, hard and soft landscaping and associated site works.
SITE/LOCATION:	Lands bound to the north by Mayfield High Street and Aylesbury Place, to the east by 4-22 Mayfield Park (evens) and 34 and 37 Mayfield Road; to the west by 16 Aylesbury Lane, 1-19 (odds) and 20 Aylesbury Rise, 5 & 24 Aylesbury Grove; 2 Aylesbury Place 12-26 (evens) Aylesbury Avenue and 5-9 (odds) Aylesbury Park; and to the south by 104 and 106 Hydepark Road, Mallusk.
APPLICANT:	South Bank Square 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 –

Ursula McCollam	In Objection
Gary Dodds	In Support/Agent
Martin Mallon	In Support/Applicant (for questions)

Proposed by Councillor Bennington
Seconded by Councillor Flanagan that planning permission be granted.

On the proposal being put to the meeting 7 Members voted in favour, 1 against and 0 abstentions, and 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 Webb returned to the Chamber during Item 3.3 and was therefore unable to vote.

ITEM 3.3 APPLICATION NO: LA03/2024/0020/F

PROPOSAL:	Proposed erection of children's play park and associated site works.
SITE/LOCATION:	Lands at Mayfield Park, Approx. 40m north west of 20 Mayfield Dale, Mallusk.
APPLICANT:	South Bank Square 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 –

Ursula McCollam	In Objection
Gary Dodds	In Support/Agent
Martin Mallon	In Support/Applicant (for questions)

Proposed by Councillor Bennington
Seconded by Councillor Flanagan that planning permission be granted.

On the proposal being put to the meeting 7 Members voted in favour, 1 against and 0 abstentions, and 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

Alderman Magill declared an interest in Item 3.4, left the Chamber, and was therefore unable to vote.

ITEM 3.4 APPLICATION NO: LA03/2023/0629/F

PROPOSAL: 2 dwellings and garages

SITE/LOCATION: Approx. 50m East of 1 Tildarg Brae, Ballyclare, BT39 9ZA

APPLICANT: James Greer

Johanne McKendry, 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 speakers addressed the Committee and responded to enquiries from Members as requested –

James Greer
Phillip Brett MLA

In Support/Applicant
In Support

Proposed by Councillor Webb

Seconded by Councillor Cosgrove that planning permission be refused.

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

that 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 add to the suburban style build-up of development when viewed with existing buildings.**

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

Alderman Magill returned to the Chamber.

ITEM 3.5 APPLICATION NO: LA03/2024/0005/F

PROPOSAL:	Proposed conversion & re-use of existing outbuilding of permanent construction to form 4 no. residential units
SITE/LOCATION:	Approx. 35m east of 8A Logwood Road, Ballyclare, BT39 9LR
APPLICANT:	Peter Boyd

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 –

Robert Logan

In Support/Agent

Proposed by Councillor Flanagan

Seconded by Councillor Bennington that planning permission be refused.

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

that planning permission be refused for the following reasons:

- 1. The proposal is contrary to the policy provisions of 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 of the Strategic Planning Policy Statement (SPPS) relating to the conversion and re-use of existing buildings in the countryside for residential use, in that the building to be converted is not considered to be a locally important building.**
- 3. 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 the residential amenity of existing and proposed properties by way of noise and disturbance.**

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

Councillors Flanagan and Webb left and returned to the Chamber during Item 3.6 and were therefore unable to vote.

ITEM 3.6 APPLICATION NO: LA03/2023/0617/O

PROPOSAL: 2 no. detached dwellings and garages

SITE/LOCATION: Approx. 10m North East of 14 Lowtown Road, Templepatrick, BT39 0HD

APPLICANT: Peter Forbes

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 –

Ally Lyons
Andy Stephens

In Objection
In Support/Agent

Proposed by Councillor Cosgrove
Seconded by Councillor Kinnear that outline planning permission be granted.

On the proposal being put to the meeting 4 Members voted in favour, 3 against and 0 abstentions, and it was agreed

that planning permission be granted for the application subject to the Conditions set out in the Planning Report and, in addition, the permission is Conditioned in relation to the removal of permitted development rights beyond the development limit of Lowtown, the wording of which being delegated to officers.

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

The Chairperson adjourned the meeting for a short comfort break at 8.10pm.

The meeting recommenced at 8.17pm.

ITEM 3.7 APPLICATION NO: LA03/2023/0599/F

PROPOSAL: Proposed 22.5m telecommunications column, with 6No. antennae, 15No. ERS & 2No. radio dishes. Proposal includes the creation of a site compound containing 1No. cabinet and associated equipment, enclosed by a 2m high palisade fence and ancillary works.

SITE/LOCATION: Approximately 25m South West of 11 Tidal Industrial Park, Antrim, BT41 3GD

APPLICANT: Telefonica UK Limited & Cornerstone

Ashleigh Wilson, Senior Planning Officer, introduced the Addendum 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 –

Les Ross

In Support/Agent

Proposed by Councillor Webb

Seconded by Councillor Flanagan that planning permission be granted.

On the proposal being put to the meeting 9 Members voted in favour, 0 against and 0 abstentions:

In favour: Alderman – Magill
Councillors – Bennington, Cosgrove, Cushinan, Flanagan, Foster, Kinnear, Logue and Webb

and it was unanimously agreed that planning permission be granted for the application, subject to a satisfactory consultation response from Rivers Agency, the appropriate Conditions of which being delegated to Officers. Should the Flood Risk Assessment be deemed unacceptable/requiring additional information, that Officers resubmit the application for further consideration by Committee.

The reason for the decision contrary to the Officer's recommendation was that the application was considered as an exception due to the minor footprint of development and the lack of other available sites.

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

PART TWO OTHER PLANNING MATTERS

ITEM 3.8

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS FEBRUARY 2024

1 Purpose

This report was for Members to note the planning applications decided under delegated powers and decisions issued by the PAC in February 2024.

2. Delegated Decision of Council

A list of planning decisions issued by Officers during February 2024 under delegated powers together with information relating to planning appeals was circulated for Members' information.

3. Planning Appeal Commission Decisions

Two (2) appeals were dismissed during February 2024 by the Planning Appeals Commission (PAC).

Planning application:	LA03/2022/1087/O
PAC reference:	2023/A0020
Proposed Development:	Dwelling and Garage (infill site)
Location:	75m North West of 38 Speerstown Road
Date of Appeal Submission:	20/06/2023
Date of Appeal Decision:	15/02/2024

Planning application:	LA03/ 2022/1084/O
PAC reference:	2023/A0021
Proposed Development:	Dwelling and Garage (Infill Site)
Location:	35m North West of 38 Speerstown Road
Date of Appeal Submission:	20/06/2023
Date of Appeal Decision:	15/02/2024

A copy of the decisions was circulated.

Two (2) appeals were allowed during February 2024 by the Planning Appeals Commission (PAC).

Planning application:	LA03/2021/0680/O
PAC reference:	2021/A0174
Proposed Development:	Proposed infill dwelling and garage
Location:	40m East of 26 Springvale Road
Date of Appeal Submission:	20/12/2021
Date of Appeal Decision:	29/02/2024

Planning application:	LA03/2021/0679/O
PAC reference:	2021/A0175
Proposed Development:	Proposed infill dwelling and garage

Location: 30m West of Rashee Cemetery, Springvale Road
Date of Appeal Submission: 20/12/2021
Date of Appeal Decision: 29/02/2024

A copy of the decisions was circulated.

Two (2) appeals were withdrawn during February 2024 by the Planning Appeals Commission (PAC).

Planning application: LA03/2020/0264/CA
PAC reference: 2023/E0010
Proposed Development: Alleged u/a use of unit for storage
Location: 252b Seven Mile Straight (eastern unit only),
Crumlin
Date of Appeal Submission: 23/05/2023
Date of Appeal Withdrawn: 12/02/2024

Planning application: LA03/2023/0430/F
PAC reference: 2023/A0061
Proposed Development: Retention of upgraded extraction system to
support the manufacturing of construction materials (retrospective)
Location: Unit 3B, Norfill Business Park, Antrim
Date of Appeal Submission: 02/10/2023
Date of Appeal Withdrawn: 26/02/2024

A copy of the decisions was circulated.

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

the report be noted.

NO ACTION

ITEM 3.9

P/PLAN/063 DEPARTMENT FOR INFRASTRUCTURE (DFI) CALL FOR EVIDENCE – FUTURE FOCUSED REVIEW OF THE STRATEGIC PLANNING POLICY STATEMENT (SPPS) ON THE ISSUE OF CLIMATE CHANGE

1. Purpose

This report was for Members to agree to the draft response prepared by Officers in advance of submission to the Department for Infrastructure.

2. Introduction/Background

Members were reminded that, as reported at the January 2024 Planning Committee, the Department for Infrastructure (Dfi) had commenced a call for evidence to help inform any future-focused review of the Strategic Planning Policy for Northern Ireland (SPPS) in relation to the topic of Climate Change.

Members were afforded the opportunity to provide comment to Planning Officers in advance of the Dfl consultation closure on 28 March 2024. (Officers had secured an extension until 29 March 2024).

3. Previous Decision of Council

January 2024: That a draft response would be provided to the Planning Committee.

4. Key Issues (or the relevant titles for the main body of the report)

The SPPS was published in 2015 and set out the regional planning policies for the orderly and consistent development of land in Northern Ireland. In June 2022, Government introduced The Climate Change Act (Northern Ireland) 2022, which set a target of net zero greenhouse gas emissions by 2050, with interim targets for 2030 and 2040. Dfl was therefore exploring changing the SPPS in places to give it an improved focus on the issue of Climate Change. The focus would be on the following areas and policies within the SPPS as these were considered the most affected and relevant to Climate Change:

- The Purpose of Planning;
- Furthering Sustainable Development;
- The Core Planning Principles;
- Flood Risk;
- Transportation; and
- Development in the Countryside.

5. Summary

A copy of the consultation document and a draft response was circulated for Members' consideration in advance of final submission to Dfl on 29 March 2024.

Proposed by Councillor Webb

Seconded by Councillor Cosgrove and unanimously agreed that

the draft response be approved and submitted to Dfl.

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

PROPOSAL TO PROCEED 'IN CONFIDENCE'

Proposed by Councillor Flanagan

Seconded by Councillor Bennington 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 3.10

FP/FP/LDP1 LOCAL DEVELOPMENT PLAN UPDATE – IN CONFIDENCE

1. Purpose

This report, and associated Addendum Report, provided an update on the Local Development Plan including a recommendation to Members that, given the continued uncertainty regarding the Department for Infrastructure’s consideration and release of the Planning Appeals Commission’s Report on the Independent Examination of the Council’s Local Development Plan, Draft Plan Strategy, that the Chairperson of the Antrim and Newtownabbey Planning Committee considered writing to the Department for Infrastructure Minister for Northern Ireland, Mr John O’Dowd MLA, seeking an urgent meeting to discuss the matter.

2. Introduction/Background

Release of PAC Commissioner's Report and Dfl's Direction

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 of the Council's Local Development Plan (LDP) Draft Plan Strategy (DPS) had been forwarded to the Department for Infrastructure (Dfl) to consider.

Members were reminded that Dfl previously indicated that it was expected to take approximately 10 weeks for the Department to consider the content of the Report before it would be released to the Council, to be followed by the Department Direction concerning the adoption.

Whilst the Council's Planning Section and Chairperson of the Antrim and Newtownabbey Planning Committee had consistently written to the Department (both at Senior Management and Permanent Secretary levels) seeking an in-person meeting to discuss the IE Report and an indicative timeframe for the 'fact checking' of the IE Report (as set out in the Department's guidance, Development Plan Practice Note (DPPN) 11, 'Receipt of Independent Examination Report and Adoption of Development Plan Document'), uncertainty still remained regarding the Department's timeline for release of the IE Report and Direction to the Council.

The timeline of correspondence between the Council and the Department was set out below:

- PAC publicly advised that following the IE of the ANBC LDP, DPS, the Commissioner's Report has been forwarded to Dfl, 4 October 2023;
- Chairperson of ANBC Planning Committee requested Dfl's Permanent Secretary early release of the IE Report, 5 October 2023;
- As above, follow up reminder, 17 October 2023;
- Response received from Dfl's Permanent Secretary to Chairperson of ANBC Planning Committee, 19 October 2023;

- Correspondence received from Dfl's Strategic Planning Directorate to advise they are 'considering' the IE Report, 12 December 2023;
- IE Report 'fact checking', 10-week period due, 13 December 2023;
- Correspondence received from Dfl's Strategic Planning Directorate to advise they are 'considering' the IE Report, 19 December 2023
- ANBC Deputy Director of Planning and Building Control corresponded with Dfl's Strategic Planning Directorate seeking an update, 15 January 2024;
- Chairperson of ANBC Planning Committee corresponded with Dfl's Strategic Planning Directorate seeking an update, 19 February 2024;

3. Previous Decision of Council

- Local Development Plan, Draft Plan Strategy update, 'noted', 26 February 2024;
- As above, 'noted', 22 January 2024.

In addition to the above matter, a recent workshop was held with Elected Members regarding an overview of the plan process as a whole and forthcoming work streams. Officers now needed to prepare a briefing information pack for Elected Members to assist them as the process moved towards the Local Policies Plan Stage. It was also anticipated that Officers would bring forward a schedule of capacity-building events for Members' consideration.

Proposed by Councillor Cosgrove

Seconded by Alderman Magill and unanimously agreed that

the report be noted and that the Chairperson of the Antrim and Newtownabbey Planning Committee write to the Department for Infrastructure Minister for Northern Ireland, Mr John O'Dowd MLA, to seek an in-person meeting to discuss the matter and to provide feedback on the plan process.

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

PART ONE DECISIONS ON ENFORCEMENT CASES – IN CONFIDENCE

ITEM 3.11 IN CONFIDENCE ENFORCEMENT: [REDACTED]

Sharon Mossman, Deputy Director of Planning and Building Control, 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 Councillor Flanagan

Seconded by Councillor Cosgrove 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.

Councillor Cushman indicated a typographical error in the report which should read 'May 2024' on page 2.

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

Before moving out of 'In Confidence', the Chair and Councillor Cosgrove provided feedback on the recent RTPI dinner and advised Members it was a worthwhile event for both Members and Officers to attend.

PROPOSAL TO MOVE OUT OF 'IN CONFIDENCE'

Proposed by Councillor Flanagan
Seconded by Councillor Cosgrove and agreed that

any remaining Committee business be conducted in Open Session.

The Chairperson advised that the audio recording would recommence.

There being no further Committee business the Chairperson thanked Members, for their attendance and the meeting concluded at 8.50pm.

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.