



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE HELD
IN MOSSLEY MILL ON MONDAY 17 AUGUST 2015 AT 6.30 PM**

- In the Chair** : Councillor R Swann
- Committee Members Present** : Aldermen - F Agnew, T Campbell and J Smyth
Councillors - T Beatty, J Bingham, H Cushinan, B Duffin,
T Hogg, S Ross and B Webb
- Non-Committee Members Present** : Alderman T Burns
Councillors - R Lynch, M Magill, N McClelland,
V McWilliam, P Michael
- In Attendance** : Reverend Mark Reid - Public Speaker
Mr Raymond Andrews - Public Speaker
Mr Richard Jenkins – Public Speaker
Ms Sheila Simms - Public Speaker
Mr Adrian Cochrane-Watson MLA - Public Speaker
- Officers Present** : Chief Executive - Mrs J Dixon
Director of Community Planning & Regeneration -
Ms M McAlister
Head of Governance - Mrs L Johnston
Head of Planning - Mr J Linden
Principal Planning Officer - Mr B Diamond
Senior Enforcement Officer - Ms J Winters
Legal Adviser (A&L Goodbody) - Ms D St John
Legal Advisor - Mr Paul Casey
Systems Support Officer - Mr A Cole
Senior Administrative Officer - Mrs S McAree
Senior Mayor and Member Services Officer - Mrs K Smyth

1 APOLOGIES

Councillor D Hollis.

2 DECLARATIONS OF INTEREST

Item 3.1 - Alderman Campbell and Chief Executive
Item 3.7 - Aldermen Agnew and Smyth
Item 3.8 - Councillor Duffin

CHAIRMAN'S REMARKS

The Chairman welcomed everyone to the meeting, reminded all present of the protocol for speaking and timeframes accorded and, on behalf of the Planning Committee, conveyed get well wishes to Councillor Hollis.

PART ONE – PLANNING APPLICATIONS AND RELATED DEVELOPMENT MANAGEMENT AND ENFORCEMENT ISSUES

DECISIONS ON PLANNING APPLICATIONS

Alderman Campbell and the Chief Executive withdrew from the Chamber for consideration of the next item having declared an interest.

ITEM 3.1 - APPLICATION NO: U/2013/0147/O

PROPOSAL: Redevelopment masterplan for a mixed-use scheme including 600 dwellings; village centre (providing local retail, office and services facilities); relocated playing pitches; a research and development park and retention of existing facilities (sport centre, student accommodation and Fire SERT research building).

SITE/LOCATION: Lands at University of Ulster Jordanstown Campus, Shore Road Newtownabbey, BT37 0QB

APPLICANT: University of Ulster

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 present to address this item.

Proposed by Councillor Duffin
Seconded by Councillor Beatty and

on the proposal being put to the meeting 10 Members voted in favour, none against and no abstentions, it was agreed

that planning permission be refused for the following reasons:

- 1) The proposal is contrary to policy ENV 1 of the Belfast Metropolitan Area Plan in that the development would, if permitted, have a significant adverse effect on the overall environmental quality, integrity, character and appearance of the designated University of Ulster Local Landscape Policy Area Local Landscape Policy Area (MNY 46).**
- 2) The proposal is contrary to Policy BH 11 of Planning Policy Statement 6, in that the development would, if permitted, adversely affect the setting of the listed buildings (Dalriada House & its Gate Lodge) which are also a feature of the designated University of Ulster Local Landscape Policy Area Local Landscape Policy Area (MNY 46).**
- 3) The proposal is contrary to Policy QD1 & LC1 of Planning Policy Statement 7: Quality Residential Environments and its Addendum in that the development fails to respect the surrounding character of the area and the indicative layout will result in a poor quality residential environment**
- 4) The proposal is contrary to policy OS1 of PPS8 Open Space, Outdoor Sport and Recreation in that the development would result in the loss of existing open space of public value.**
- 5) The proposal is contrary to Policy QD 1 of Planning Policy Statement 7: Quality Residential Environments in that the overall layout proposed will result in a deficit of parking for the retained Dalriada Student Village. This will lead to overspill parking in the proposed adjacent future housing areas which will detract from the environmental quality and overall character of these areas and will have a detrimental effect on the amenities to be enjoyed by the occupiers of the proposed future housing development.**
- 6) Insufficient information has been submitted to demonstrate that the recreational needs of the occupiers of the proposed housing at the site will be adequately met.**
- 7) Insufficient information has been submitted to demonstrate that the implementation of a Sustainable Drainage System at the site would not impact adversely upon the areas indicated for development.**

ACTION BY: John Linden.

Alderman Campbell and the Chief Executive returned to the Meeting.

ITEM 3.2 - APPLICATION NO: T/2014/0460/F

PROPOSAL: Installation and operation of a solar farm and associated infrastructure, for the life of the solar wind farm.

SITE/LOCATION: Lands 130m south of No.28 Ballysculty Road, Muckamore, Antrim.

APPLICANT: Lightsource SPV 88

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

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

- Councillor M Magill
- Alderman T Burns
- Councillor P Michael
- Reverend M Reid
- Mr R Andrews
- Mr R Jenkins

Proposed by Councillor Hogg
Seconded by Alderman Smyth and

on the proposal being put to the meeting 8 Members voted in favour, 2 against and 1 abstention as follows:

In Favour: Aldermen Agnew, Smyth and Councillors Beatty, Bingham, Duffin, Hogg, Ross and Swann
Against: Alderman Campbell and Councillor Webb
Abstentions: Councillor Cushinan

It was agreed

that planning permission be refused, for the following reason, the wording of which being delegated to Officers:

1. **The proposed solar farm development is contrary to PPS 18 by virtue of its adverse impact on the visual amenity and character of the area.**

ACTION BY: John Linden.

ITEM 3.3 - APPLICATION NO: U/2014/0065/F

PROPOSAL:	Erection of a EWT wind turbine with a 40 metre hub height and a 52 metre rotor diameter with a maximum output not exceeding 250 kW
SITE/LOCATION:	458 metres South East of 28 Tildarg Road South, Ballyclare
APPLICANT:	Aircore Tildarg Road 02 Ltd

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

There were no public speakers present to address this item.

Proposed by Councillor Duffin
Seconded by Alderman Campbell and

on the proposal being put to the meeting 10 Members voted in favour, none 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: John Linden.

ITEM 3.4 - APPLICATION NO: U/2014/0384/F

PROPOSAL:	Erection of replacement dwelling
SITE/LOCATION:	15 Sycamore Drive, Newtownabbey
APPLICANT:	Mr & Mrs A Gallagher

Barry Diamond, 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 -

- Ms S Simms

Proposed by Councillor Duffin
Seconded by Councillor Cushman and

on the proposal being put to the meeting 6 Members voted in favour, 1 against and 4 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.

Councillor Hogg withdrew and returned to the Chamber during consideration of the next item, hence was unable to participate in the vote.

ITEM 3.5 - APPLICATION NO: LA03/2015/0068/A (deferred from July Meeting)

PROPOSAL: L.E.D Hoarding sign (Retrospective)

SITE/LOCATION: Gable End of No.81 Main Street, Ballyclare

APPLICANT: R Wilson

Barry Diamond, 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 -

- Mr A Cochrane-Watson MLA

Proposed by Alderman Smyth
Seconded by Councillor Beatty and

on the proposal being put to the meeting 6 Members voted in favour, 2 against and 2 abstentions as follows:

In Favour: Aldermen Agnew, Smyth and Councillors Beatty, Bingham, Ross and Swann

Against: Alderman Campbell and Councillor Webb

Abstentions: Councillors Duffin and Cushinan

It was agreed

that retrospective advertisement consent be granted, on the basis that the proposed LED sign was not considered to have a detrimental impact on the visual amenity and character of the area.

ACTION BY: John Linden.

ITEM 3.6 - APPLICATION NO: U/2014/0390/F

PROPOSAL:	Proposed changing pavilion, stand, 3G pitches of various sizes, fencing, floodlights, dugouts, viewing shelters, toilet blocks and new vehicle entrance
SITE/LOCATION:	Lands at Three Mile Water Playing Fields, Doagh Road
APPLICANT:	Crusaders Sport and Social Development Trust

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

There were no public speakers present to address this item.

Proposed by Alderman Agnew
Seconded by Councillor Webb and

on the proposal being put to the meeting 10 Members voted in favour, none 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: John Linden.

Aldermen Agnew and Smyth withdrew from the Chamber for consideration of the next item having declared an interest.

ITEM 3.7 - APPLICATION NO: LA03/2015/0227/F

PROPOSAL:	Refurbishment of existing storage and distribution warehouse, including demolition of existing single storey office and welfare block and construction of a new two storey office and welfare block, single storey extension to Mallusk Drive, construction of a new higher level curved roof, replacement cladding, new loading docks, internal modifications, car parking and other associated operational development
SITE/LOCATION:	20 Mallusk Road, Newtownabbey, BT36 4PP
APPLICANT:	John Henderson (Mallusk) Ltd

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

There were no public speakers present to address this item.

Proposed by Councillor Beatty
Seconded by Councillor Ross and

on the proposal being put to the meeting 9 Members voted in favour, none against and no 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.

Aldermen Agnew and Smyth returned to the Meeting.

Councillor Duffin withdrew from the Chamber for consideration of the next item having declared an interest.

Alderman Campbell left the Chamber.

ITEM 3.8 - APPLICATION NO: LA03/2015/0166/O

PROPOSAL: Proposed infill site for new dwelling
SITE/LOCATION: Between 72A & 72B Roguery Road, Toomebridge
APPLICANT: Mr & Mrs C McCoy

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

There were no public speakers present to address this item.

Proposed by Councillor Hogg
Seconded by Alderman Smyth and

on the proposal being put to the meeting 7 Members voted in favour, 1 against and 1 abstentions, it was agreed

that planning permission be refused for the following reasons:

- 1. The proposal is contrary to 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 Policy CTY8 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the proposal would, if permitted, result in the addition of ribbon development along Roguery Road and would, if permitted, adversely impact on the amenities of neighbouring residents by reason of the unacceptable relationship between the proposed dwelling and No72 Roguery Road.
3. The proposal is contrary to Policy CTY2a of Planning Policy Statement 21, New Dwellings in Existing Clusters in that the dwelling would if permitted significantly alter the existing character of the cluster, adversely impact on residential amenity of existing and proposed residents
4. The proposal is contrary to Policy CTY2a & CTY 13 of Planning Policy Statement 21, in that the development site does not have an adequate sense of enclosure.

ACTION BY: John Linden.

Councillor Duffin and Alderman Campbell returned to the Meeting.

ITEM 3.9 - APPLICATION NO: LA03/2015/0170/F

PROPOSAL: Erection of 2 storey extension to rear of dwelling and decking

SITE/LOCATION: 14 Ahoghill Road, Randalstown

APPLICANT: Mr Robert Neill

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

There were no public speakers present to address this item.

Proposed by Councillor Beatty
 Seconded by Councillor Bingham and

on the proposal being put to the meeting 11 Members voted in favour, none against and no 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.

PROPOSAL TO PROCEED 'IN CONFIDENCE'

Proposed by Councillor Bingham
Seconded by Councillor Beatty that

that the following Committee business be taken In Confidence.

The Chairman advised that audio-recording would cease at this point.

IN-CONFIDENCE

DECISIONS ON ENFORCEMENT CASES

ITEM 3.10 ENFORCMENT CASE: T/2014/0045/CA

Judith Winters, Senior Enforcement Officer, introduced the Enforcement Report to the Committee and made a recommendation that approval be granted to progress enforcement action.

Proposed by Alderman Smyth
Seconded by Councillor Beatty and

on the proposal being put to the meeting 10 Members voted in favour, none against and 1 abstention it was agreed

that enforcement action be progressed in this case and the detail of this was delegated to appointed Officers.

ACTION BY: John Linden.

ITEM 3.11 ENFORCMENT CASE: T/2014/0086/CA

Judith Winters, Senior Enforcement Officer, introduced the Enforcement Report to the Committee and made a recommendation that approval be granted to progress enforcement action.

Proposed by Councillor Beatty
Seconded by Councillor Duffin and

on the proposal being put to the meeting 11 Members voted in favour, none against and no abstentions it was agreed

that enforcement action be progressed in this case and the detail of this was delegated to appointed Officers.

ACTION BY: John Linden.

IN-CONFIDENCE

ITEM 3.12 ENFORCMENT CASE: LA03/2015/0064/CA

Judith Winters, Senior Enforcement Officer, introduced the Enforcement Report to the Committee and made a recommendation that approval be granted to progress enforcement action.

Proposed by Councillor Beatty
Seconded by Councillor Webb and

on the proposal being put to the meeting 11 Members voted in favour, none against and no abstentions it was agreed

that enforcement action be progressed in this case and the detail of this was delegated to appointed Officers.

It was also agreed that Council consider measures to promote co-operation and communication with relevant statutory authorities regarding unauthorised commercial development activities within the Council area including the item on unauthorised development above.

ACTION BY: John Linden.

PROPOSAL TO MOVE OUT OF 'IN CONFIDENCE'

Proposed by Councillor Bingham
Seconded by Councillor Beatty and agreed

that any remaining Committee business be conducted in Open Session.

OTHER PLANNING MATTERS

ITEM 3.13 - DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during July 2015 under delegated powers was circulated for Members attention together with information received this month on planning appeals.

Proposed by Councillor Duffin

Seconded by Councillor Bingham and agreed unanimously

that the report be noted.

ACTION BY: John Linden.

NOTED: *it was requested that a report be provided on the current position regarding infilling at Whitehouse Park.*

PART 2 - DEVELOPMENT PLAN AND OTHER ISSUES

ITEM 3.14 - CE/STC/136 NEIGHBOUR NOTIFICATION SCHEME

A report was presented to the Shadow Planning Committee in February 2015 regarding the statutory neighbour notification requirements contained in the Planning Act 2011. Members would recall that the statutory scheme to be applied to all applications required that notification letters should be sent by the Council to the occupiers of neighbouring premises which fulfil **both** of the following criteria - the property in question is within 90 metres **and** directly adjoins the boundary of the application site - or would adjoin the boundary but for an entry or a road less than 20 metres wide.

At the February meeting Members agreed that this scheme should be implemented as an initial measure on 1 April 2015, to facilitate a smooth transition of planning powers. It was further agreed that Officers would report back to Committee in August on possible options for change to the current notification arrangements and this was now provided for Members consideration, a copy of which had been circulated.

The report to Members highlights the current publicity arrangements for planning applications, including the new statutory provisions that apply from 1 July 2015 for pre-application community consultation to be undertaken by applicants for Major development schemes. The report then sets out 3 core options regarding neighbour notification for Members consideration.

In considering this matter Members noted that the Planning Section to date had not received any formal complaints regarding the operation of the statutory neighbour notification scheme. Nevertheless, it was acknowledged that on occasion a rigid application of the scheme (i.e. only notifying those occupied premises abutting an application site) may result in people living near to a proposed development site not

receiving a notification when they believe they should do and not becoming aware of the particular proposal. In these circumstances rather than recommending that the status quo is maintained Officers consider that discretion should be afforded to individual Planning Officers to notify beyond the parameters of the statutory scheme using planning judgement to inform their view of which additional properties would merit a notification letter. If approved the Head of Planning and other Senior officers would undertake training of staff on this revised approach. This approach would be kept under review and an update report made to Members within 6 months.

Further options to expand the Neighbour Notification scheme on a pilot basis were also provided for consideration. However at this time it was considered any such expansion of the scheme would be premature and could result in administrative difficulties for staff as well as introducing a public expectation that large numbers of properties would be automatically notified. This latter matter could introduce problems regarding the potential for cases to be taken against the Council.

Proposed by Alderman Smyth
Seconded by Councillor Bingham and

on the proposal being put to the meeting 11 Members voted in favour, none against and no abstentions, it was agreed

that both Option 1 of the attached report including specific reference to the last paragraph from Option 2, be accepted and incorporated into the Council's draft Statement of Community Involvement (see Item 3.15) which, subject to Member approval, is to be issued for public consultation.

ACTION BY: John Linden.

ITEM 3.15 - P/PLA/01 DRAFT STATEMENT OF COMMUNITY INVOLVEMENT

Members would recall from previous reports that the Council was required under the Planning Act 2011 to publish a Statement of Community Involvement (SCI). This document would outline how the Council proposes to engage with the community and stakeholders in exercising its planning functions - both preparation of the new Local Development Plan and in undertaking the development management function (i.e. the processing of planning applications). The SCI must be approved by the Council and agreed by the Department of the Environment.

In relation to the Local Development Plan function the Council was legally required to have the SCI in place before the publication of the first formal document to be produced as part of the new Local Development Plan process, namely the Preferred Options Paper (POP) for the Council's Plan Strategy. The SCI can therefore be viewed as the first key stage in the preparation of the Local Development Plan.

Members agreed at the June Planning Committee meeting that Officers should prepare a draft Statement of Community Involvement and that this should be issued for the purposes of public consultation.

The Planning Section had prepared a Draft SCI, a copy of which was circulated, and subject to Council approval it was anticipated that a public consultation on this

could be undertaken during September. This consultation would include a number of engagement events in locations across the Borough which would be advertised by way of Public Notice. Members would also have an opportunity to engage with Officers to consider the SCI and other Local Development Plan matters at the DEA Workshops programmed for September.

Following the consultation a report and final Statement of Community Involvement would then be brought to Committee in October and subject to full Council ratification the document would then be submitted to the Department of the Environment for their agreement.

Proposed by Councillor Beatty
Seconded by Alderman Smyth and agreed unanimously

that the Draft Statement of Community Involvement be approved for public consultation.

NOTED: request for a further engagement event with Agents to be arranged towards the end of the year.

ACTION BY: John Linden.

The Chairman expressed appreciation to all Officers and there being no further Committee business under Part B of the agenda the Meeting concluded at 9.15pm.

MAYOR

