



**MINUTES OF THE PROCEEDINGS OF THE MEETING OF THE PLANNING COMMITTEE
HELD IN MOSSLEY MILL ON MONDAY 17 OCTOBER 2016 AT 6 PM**

- In the Chair** : Alderman F Agnew
- Committee Members Present** : Aldermen - T Campbell, J Smyth and R Swann
Councillors - T Beatty, J Bingham, H Cushinan, B Duffin, T Hogg, D Hollis, S Ross and B Webb
- Non-Committee Members Present** : Alderman – T Burns
Councillors – D Arthurs, J Blair, R Lynch, N McClelland, J Montgomery
- In Attendance** : Mr T Clarke – MLA
Mr A Blackbourne - Public Speaker
Mr D Donaldson - Public Speaker
Mr G McGhee- Public Speaker
Mr R Parks- Public Speaker
Mr A Hyde- Public Speaker
- Officers Present** : Chief Executive - Mrs J Dixon
Director of Community Planning & Regeneration - Ms M McAlister
Head of Planning - Mr J Linden
Principal Planning Officer - Mr B Diamond
Planning Officer - Mr S Russell
Planning Officer - Mr S McQuillan
Planning Officer – Mr M O'Reilly
Media & Marketing Officer - Ms A Doherty
Legal Advisor - Ms K McCusker
Systems Support Officer – Mr P Allen
Member Services Officer - Mrs D Hynes
Senior Mayor and Member Services Officer – Mrs K Smyth

CHAIRMAN'S REMARKS

The Chairman welcomed Committee Members to the monthly Planning Committee Meeting under the new format and sought a resolution to consider the In Confidence items.

DECLARATIONS OF INTEREST

Item 3.3 - Councillor B Webb

PROPOSAL TO PROCEED 'IN CONFIDENCE'

Proposed by Councillor Duffin
Seconded by Councillor Beatty and agreed

that the following Committee business be taken In Confidence.

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

ITEMS IN CONFIDENCE

DECISIONS ON ENFORCEMENT CASES

ITEM 3.1 ENFORCMENT CASE: LA03/2016/0203/CA

Steven McQuillan, Planning Officer, introduced the Enforcement Report to the Committee and made a recommendation that approval be granted to progress enforcement action.

Proposed by Councillor Bingham
Seconded by Councillor Beatty and unanimously agreed

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

ACTION BY: John Linden

ITEM 3.2 ENFORCMENT CASE: LA03/2016/0233/CA

Steven McQuillan, Planning 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 Alderman T Campbell and unanimously agreed

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

ACTION BY: John Linden

Councillor Webb withdrew from the meeting having declared an interest in the next item, 3.3.

ITEM 3.3 ENFORCMENT CASE: LA03/2016/0264/CA

Steven McQuillan, Planning 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 Alderman T Campbell and unanimously agreed

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

ACTION BY: John Linden

Councillor Webb returned to the meeting.

PROPOSAL TO MOVE OUT OF 'IN CONFIDENCE'

Proposed by Councillor Duffin
Seconded by Councillor Beatty and agreed

that any remaining Committee business be conducted in Open Session.

At this this point (6.22pm) the Chairman advised there would be a short interval, with the remainder of Committee business resuming at 6.30pm when the meeting would be open to the public and audio-recording would resume.

CHAIRMAN'S BUSINESS

At this point the Chairman welcomed everyone to the meeting and reminded all present of the protocol for speaking and timeframes accorded.

The Chairman conveyed condolences to Councillor Cushinan, The Mayor Councillor John Scott and their families on their recent bereavements.

1 APOLOGIES

None.

2 DECLARATIONS OF INTEREST

Item 3.3 – Councillor B Webb
Item 3.11 – Alderman R Swann
Item 3.13 – Councillor B Webb

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

Councillor Ross was not present in the Chamber at this point of the meeting (11 members present)

ITEM 3.4 APPLICATION NO: LA03/2016/0621/F

PROPOSAL: New dwelling and garage with access onto Neilsbrook Park

SITE/LOCATION: Rear garden of 31 Portglenone Road Randalstown

APPLICANT: Mr & Mrs Walder

Barry Diamond, Principal Planning Officer, advised Members that this application had been withdrawn.

NOTED.

ITEM 3.5 APPLICATION NO: LA03/2016/0595/F

PROPOSAL: Continued use of lands for the provision of car parking for users of Belfast International Airport

SITE/LOCATION: Karl Business Park, 92 Old Ballyrobin Road, Muckamore, Co. Antrim

APPLICANT: Karl Airport Parking Limited

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

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

- Alderman Thomas Burns
- Councillor Roisin Lynch
- Councillor Jim Montgomery
- Mr Gary McGhee
- Mr David Donaldson
- Mr Aran Blackbourne
- Mr Trevor Clarke MLA

Councillor Ross returned to the Chamber at this point during the discussion and was unable to vote.

Proposed by Alderman T Campbell
Seconded by Councillor Bingham and

on the proposal being put to the meeting 9 Members voted in favour, 2 against and 0 abstentions, it was 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 AMP 10 of the Planning Policy Statement 3: Access Movement and Parking in that the analysis provided by the applicant has not demonstrated that there is a need for the facility nor has any need been identified in any published Transport Plan.**
- 2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policies AMP 2 and AMP 9 of the Planning Policy Statement 3: Access Movement and Parking in that it has not been demonstrated that a safe means of access can be achieved nor has sufficient landscaping been proposed to assist in breaking up the car parking area.**

ACTION BY: John Linden

ITEM 3.6 APPLICATION NO: LA03/2016/0574/O

PROPOSAL: Site for five (5) dwellings in a cluster
SITE/LOCATION: 200m north of 6 Diamond Road, Aldergrove, Crumlin
APPLICANT: Bridget McMullan

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

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

- Mr Robin Park

Proposed by Councillor Duffin
Seconded by Councillor Hollis 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 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 and it fails to meet the provisions for a dwelling within a cluster in accordance with Policy CTY2a of PPS21.

- 2. The proposal is contrary to the policy provisions of the Strategic Planning Policy Statement and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the buildings would, if permitted result in a suburban style build-up of development when viewed with existing and approved buildings and would therefore result in a detrimental change to further erode the rural character of the countryside.**

ACTION BY: John Linden

ITEM 3.7 APPLICATION NO: LA03/2016/0663/O

PROPOSAL: Proposed dwelling and garage.

SITE/LOCATION: Rear of and approx 40m East of 10 Tobergill Road,
Templepatrick

APPLICANT: Mr & Mrs Fleming

Michael O'Reilly, Planning Officer, introduced the Planning 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 Beatty
Seconded by Alderman J Smyth and unanimously agreed

that outline planning permission be refused for the following reasons:

- 1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY1 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that there are no overriding reasons why this development is essential in this rural location and could not be located within a settlement and it fails to meet with the provisions for an infill dwelling in accordance with CTY8 of PPS21.**
- 2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, add to a ribbon of development and would therefore result in a detrimental change to, and further erode, the rural character of the countryside.**
- 3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY13 of Planning Policy Statement 21, Sustainable Development in the Countryside, in that the building would, if permitted, be a**

prominent feature in the landscape and is unable to provide a suitable degree of enclosure.

ACTION BY: John Linden

ITEM 3.8 APPLICATION NO: LA03/2016/0678/O

PROPOSAL: Site for infill dwelling
SITE/LOCATION: 50m North of 139 Seven Mile Straight, Antrim
APPLICANT: Robert Brown

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

The undernoted Elected Member and public speaker addressed the Committee and responded to enquiries from Members as requested -

- Alderman Thomas Burns
- Mr Robin Park

Proposed by Alderman J Smyth
Seconded by Councillor Duffin and

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

that outline planning permission be refused for the following reasons:

- 1. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy 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 and it fails to meet with the provisions for an infill dwelling in accordance with Policy CTY8 of PPS21.**
- 2. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy CTY14 of Planning Policy Statement 21, Sustainable Development in the Countryside in that the building would, if permitted, add to a build-up of development and would therefore result in a detrimental change to, and further erode, the rural character of the countryside.**
- 3. The proposal is contrary to the provisions contained in the Strategic Planning Policy Statement and Policy FLD 1 of Planning Policy Statement 15, Planning & Flood Risk in that it has not been demonstrated that the proposed development would not be at risk from flooding or would not increase the risk of flooding elsewhere.**

ACTION BY: John Linden

ITEM 3.9 APPLICATION NO: LA03/2016/0172/O

PROPOSAL: Dwelling and Garage
SITE/LOCATION: Approx. 60m west of 104 Staffordstown Road, Randalstown
APPLICANT: James Nelson

Simon Russell, Planning Officer, introduced the Planning Report to the Committee and made a recommendation to refuse outline planning permission.

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

- Trevor Clarke MLA

Proposed by Alderman T Campbell
Seconded by Councillor Bingham and

on the proposal being put to the meeting 9 Members voted in favour, 0 against and 3 abstentions, it was 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 Policy CTY1 of the Planning Policy Statement 21: Sustainable Development in the Countryside in that 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 provisions of the Strategic Planning Policy Statement and Policy CTY10 of Planning Policy Statement 21, Sustainable Development in the Countryside and does not merit being considered an exceptional case in that a development opportunity has been sold off from the farm holding since November 2008.**

ACTION BY: John Linden

ITEM 3.10 APPLICATION NO: LA03/2016/0103/F

PROPOSAL: Dwelling (Change of house type from previously approved application T/2009/0001/F).
SITE/LOCATION: 100m south of 8 Barnish Road, Kells, Ballymena

APPLICANT: Mr and Mrs Ivan Warwick

Simon Russell, Planning Officer, advised Members that this application had been withdrawn.

NOTED.

Alderman Swann withdrew from the meeting having declared an interest in the next item, 3.11.

ITEM 3.11 APPLICATION NO: LA03/2016/0560/A

PROPOSAL: Aluminium plastic composite signage on steel frame (business entrance sign) – Existing

LOCATION: 10 Crooked Stone Road, Nutts Corner, Crumlin, BT29 4EH

APPLICANT: A Hyde Farm Feeds

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

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

- Alderman Thomas Burns
- Mr Trevor Clarke MLA
- Mr A Hyde

Proposed by Alderman T Campbell

Seconded by Councillor Beatty and unanimously agreed

that the application be deferred to provide the applicant with an opportunity to submit an amended scheme for a smaller and redesigned sign.

ACTION BY: John Linden

Alderman Swann returned to the meeting.

ITEM 3.12 APPLICATION NO: LA03/2016/0174/TPO

TPO WORKS REQUESTED: Felling of 2 no. trees and crown reduce 2 no. trees

SITE/LOCATION: 4 Culmeiglen, Jordanstown, BT37 0AU

AGENT

N/A

Barry Diamond, Principal Planning Officer, introduced the Planning Report to the Committee and made a recommendation for a partial grant of TPO works consent.

There were no public speakers to address this item.

Proposed by Councillor Duffin
Seconded by Councillor Beatty and

on the proposal being put to the meeting 11 Members voted in favour, 0 against and 1 abstention by Councillor Hollis, it was agreed

that TPO works consent be granted for that part of the application relating to tree tag No. 69 subject to the conditions set out in the Planning Report; and

that TPO works consent be refused for that part of the application relating to tree tag No. 68 for the following reason:

- 1. The proposed felling of tree tag No. 68 (Sycamore) is refused as it is considered the decking around the tree was constructed too close to the tree without allowance for its growth and that remedial works to the existing decking could be carried out to secure the retention of this protected tree.**

Noted: it was requested by members that the name of the applicant, similar to planning applications should appear on any TPO Report submitted to the Committee.

ACTION BY: John Linden

Councillor Webb withdrew from the meeting having declared an interest in the next item, 3.13.

Councillor Hogg left at this point of the meeting.

ITEM 3.13 APPLICATION NO: LA03/2016/0664/TPO

TPO WORKS REQUESTED: Removal of 9 No. Cypress trees (and replacement with 12 no. birch trees)

SITE/LOCATION: Marks & Spencer, Longwood Road, Newtownabbey, BT37 9UL

AGENT N/A

Barry Diamond, Principal Planning Officer, introduced the Planning Report to the Committee and made a recommendation for a grant of TPO works consent.

There were no public speakers to address this item.

Proposed by Councillor Beatty
Seconded by Councillor Duffin and

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

that TPO works consent be granted subject to the conditions set out in the Planning Report.

ACTION BY: John Linden

Councillor Webb returned to the meeting.

**PART 2 FORWARD PLANNING MATTERS - LOCAL DEVELOPMENT PLAN,
PLANNING POLICY AND CONSERVATION**

OTHER PLANNING MATTERS

ITEM 3.14

P/PLAN/1 DELEGATED PLANNING DECISIONS AND APPEALS

A list of planning decisions issued by Officers during September 2016 under delegated powers was circulated for Members attention together with information received this month on planning appeals.

Proposed by Councillor Bingham
Seconded by Councillor Duffin and unanimously agreed that

the report be noted.

ACTION BY: John Linden

ITEM 3.15

P/PLAN/1 PROPOSAL OF APPLICATION NOTIFICATION FOR MAJOR DEVELOPMENT

Members were aware that prospective applicants for all development proposals which fall 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). Three PAN's had been registered during August and the details were set out below.

PAN Reference: LA03/2016/0789/PAN
Proposal: Proposed residential development comprising circa 28no detached dwelling houses, landscaping and all associated site and access works.
Location: Lands at Willowbrook, 401 Shore Road, Whiteabbey, Jordanstown
Applicant: Amulet Developments Ltd
Date Received: 05 September 2016
12 week expiry: 28 November 2016

PAN Reference: LA03/2016/0812/PAN
Proposal: Driver Training Centre to address the road death figures on our roads. Also a British Association of Rally Schools (BARS) Centre for training and licencing for competition.
Location: Nutts Corner, Moira Road, Ballydonaghly, Glenavy,

Applicant: BT29 4JL
James Crozier
Date Received: 12 September 2016
12 week expiry: 5 December 2016

PAN Reference: LA03/2016/0885/PAN
Proposal: Proposed residential development comprising circa 100 no. dwelling units, upgraded road access and all other associated site works.

Location: Lands at Monkstown Road, Newtownabbey
Applicant: Brayfield Developments Limited
Date Received: 30 September 2016
12 week expiry: 23 December 2016

Members recalled that 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 is submitted this must be accompanied by a Pre-Application Community consultation report outlining what consultation had been undertaken regarding the application and detailing how this had influenced the proposal submitted.

Proposed by Alderman J Smyth
Seconded by Councillor Beatty and unanimously agreed that

the report be noted.

ACTION BY: John Linden

ITEM 3.16

PLANNING APPLICATIONS – REFERENCES T/2005/0977/F AND T/2005/1054/F AT PARKGATE QUARRY - RETAINED FOR DETERMINATION BY THE DEPARTMENT FOR INFRASTRUCTURE - HEARING BY THE PLANNING APPEALS COMMISSION

Members recalled that, following the request earlier this year by the Council for a hearing into the two planning applications at Parkgate Quarry outlined below, the Department for Infrastructure had written to the Planning Appeals Commission (PAC) requesting such a hearing.

Application Reference: T/2005/0977/F
Proposal: Construction of a Waste Transfer & Recycling Facility for Construction & Demolition Wastes

Application Reference: T/2005/1054/F
Proposal: Landfill Facility for inert Construction and Demolition Wastes

Location: Parkgate Quarry, Connor Road, Parkgate
Applicant: Henry Bros (Magherfelt) Ltd

The PAC had written to the Council to advise of the arrangements for this hearing which had been scheduled to commence at 10.00am on 27th January 2017 and continuing on the following day if necessary (copy circulated). A Pre-hearing had also been organised by the PAC for 1st November 2016 and the Council would be represented at this.

Officers understood that all those who had made representations previously to the Department in relation to these applications had also been notified by the PAC of the arrangements for the hearing.

Officers will organise the preparation of the Council's Statement of Case opposing both developments which must be submitted to the PAC no later 4.00pm on Friday 2nd December 2016.

Proposed by Councillor Beatty

Seconded by Councillor Duffin and unanimously agreed that

the report be noted.

ACTION BY: John Linden

ITEM 3.17

P/PLAN/1 - NORTHERN IRELAND PLANNING STATISTICS 2016/17 – FIRST QUARTERLY BULLETIN FOR THE PERIOD APRIL – JUNE 2016

The first quarterly provisional planning statistics for 2016/17 produced by the Analysis, Statistics and Research Branch of the Department for Infrastructure (DfI), a copy of which was circulated, were released on 29 September 2016.

The figures showed that during the period from April to June 2016, the total number of planning applications received in Northern Ireland was 3,438, which was an increase of 11.0% over the previous quarter and 8.6% on the same quarter in 2015/16. The total number of decisions issued during this period was 3,490.

During this first quarter period a total of 198 new applications were received by Antrim and Newtownabbey Borough Council (an increase of some 10% over the same period last year in line with the NI trend) and 203 decisions were issued.

In relation to performance against statutory targets the Department for Infrastructure (DfI) figures showed that the Council took on average 59.8 weeks to process and decide **Major** planning applications during the first quarter against the target of 30 weeks. While this performance marked a decline from last year's performance where the Council was the only Council in NI to meet the Major processing target it still ranks third out of the 11 Councils and also reflects well against the average processing time of 67.1 weeks across all Councils. However, Members noted that these figures related only to a small number of Major applications (four applications during the first quarter) and should therefore be interpreted with care. A more realistic performance figure may only become apparent at year end. It was also noted that the Planning Section was currently seeking to reduce the number of backlog applications greater than 12 months old which was likely to impact on Major processing times this year.

The Dfl figures showed that the Council took on average 13.7 weeks to process and decide **Local** planning applications during the first quarter against the target of 15 weeks. This performance ranked third out of the 11 Councils and again reflected well against the average processing time of 18 weeks across all Councils.

In relation to enforcement the Dfl figures highlighted that the Council's planning enforcement team recorded the shortest time taken, 10.1 weeks, to process 70% of enforcement cases to target conclusion. This compared very favourably against both the performance target of 39 weeks and the average processing time of 26.3 weeks across all Councils.

Proposed by Councillor Beatty
Seconded by Councillor Duffin and unanimously agreed that

the report be noted.

ACTION BY: John Linden

ITEM 3.18

FP/LDP1 LOCAL DEVELOPMENT PLAN 2016 QUARTERLY PROGRESS REPORT

The Council's Plan Timetable advised that progress reports on the Local Development Plan would be submitted on a quarterly basis to the Planning Committee. This report covered the second quarter of 2016-2017 (July – Sept 2016).

The Planning Section prepared a Plan Vision and Spatial Strategy Paper which was presented to the Members workshop on 14th September 2016. Further evidence relating to Society and Planning Policy was circulated to Members for discussion at a work shop held on 15 September 2016.

Work has continued on the preparation of the Sustainability Scoping report with Shared Environmental Services.

The first meeting of the Local Development Plan Steering Group took place on 8 September 2016.

In terms of the Plan Timetable, the date for publication of the Preferred Options Paper is now to be December 2016.

Proposed by Councillor Duffin
Seconded by Councillor Bingham and unanimously agreed that

the report be noted.

ACTION BY: John Linden

ITEM 3.19

P/FP/LDP/52 - LOCAL DEVELOPMENT PLAN CONSULTATION

Belfast City Council had written to the Chief Executive to announce the commencement of work on its Local Development Plan and the publication of their Plan Timetable and Statement of Community Involvement (copy of letter and Plan Timetable diagram were circulated).

In addition, Belfast City Council also wished to discuss cross boundary matters with the Council, and to explore impacts and mutual interests within emerging policies and options in the preparation of its Preferred Options Paper.

At this stage it was intended that Officers from the Council's Forward Planning team, which was taking forward work on the Council's new Local Development Plan, would liaise with colleagues from the City Council to consider how matters of common interest should be taken forward.

Proposed by Alderman J Smyth
Seconded by Councillor Beatty and unanimously agreed that

the report be noted.

ACTION BY: John Linden

ITEM 3.20

P/PLAN/1 PLANNING APPEALS COMMISSION ANNUAL REPORT 2015/16

The Planning Appeals Commission had forwarded a copy of its Annual Report for 2015/16 to the Council, a copy of which was circulated. The Report provided information on and an analysis of its planning appeal and water appeal casework during 2015/16.

Proposed by Councillor Duffin
Seconded by Councillor Bingham and unanimously agreed that

the report be noted.

ACTION BY: John Linden

There being no further Committee business under Part 2 of the agenda the Chairman thanked everyone for their attendance and the meeting concluded at 8.53pm.

MAYOR

Council Minutes have been redacted in accordance with the Freedom of Information Act 2000, the Data Protection Act 1998 and legal advice.