

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 7 August 2018 in Council Offices, Ballyronan Road, Magherafelt

Members Present

Councillor Glasgow, Chair

Councillors Bateson, Bell, Clarke, Cuthbertson, Gildernew, Kearney, McAleer (7.06 pm), McEldowney, McKinney, McPeake, Mullen, Robinson,

Officers in Attendance

Dr Boomer, Planning Manager
Mr Bowman, Head of Development Management
Ms Doyle, Senior Planning Officer
Ms Kearney, Senior Planning Officer
Mr Marrion, Senior Planning Officer
Mr McCrystal, Senior Planning Officer
Ms McNally, Council Solicitor
Ms Grogan, Democratic Services Officer

Others in Attendance

Councillor B McGuigan

The meeting commenced at 7 pm.

P102/18 Apologies

Councillors Mallaghan and Reid.

P103/18 Declarations of Interest

The Chair reminded members of their responsibility with regard to declarations of interest.

P104/18 Chair's Business

The Chair advised that he had no issues.

The Planning Manager updated members on Planning Performance Statistics for 2017/18 which came out at the end of June. He advised that the number of planning applications received overall in Northern Ireland was 12,770, a decrease of 1% on last year. He said that four of the eleven Councils received more local applications compared to the previous year with Mid Ulster and advised that 1415 planning applications were received and that Mid Ulster was the third highest in Northern Ireland after Belfast City and Newry, Mourne and Down.

He advised that the NI approval rate for all planning applications was 94%, similar to the rate last year and approval rates varied across Councils in 2017/18 and was pleased to advise that Mid Ulster District Council came out on top with 97.8%. In

referring to applications decided by Council, Mid Ulster came third highest achieving 1,200.

The Planning Manager stated that he was pleased to advise that the processing time of local applications for Mid Ulster was 14.4 weeks above the Northern Ireland average of 15.2 weeks.

He advised that Mid Ulster was also processing its enforcement cases in line with regional targets.

However, he was concerned that since the start of 2018 Performance had dipped and his own records showed that we were falling short of the 50% to around 35% for deciding local applications. He stated that this was due to unforeseen circumstances such as maternity leave, car accidents, staffing resources amongst other factors and that he was trying to make the best of the staffing resources that there was by moving staff around from Development Plan to Development Management and bringing on board additional members of staff.

Councillor McAleer entered the meeting at 7.06 pm.

Councillor Clarke, enquired if Mid Ulster were still in the same situation regarding pro-rata funding from Government.

The Planning Manager stated that Mid Ulster got a raw deal from Government as Antrim & Newtownabbey get funding of around £1 million to deal with little applications and Mid Ulster were allocated £400k. He said that Mid Ulster had to bring money in from planning fees and were in a fortunate position due to the high number of applications and this was why government says that this is justified. He said if there were a huge reduction of applications received this would result in implications for the Planning Department.

Proposed by Councillor Clarke
Seconded by Councillor Gildernew and

P105/18 Planning Applications for Determination

The Planning Manager advised that the following planning applications would be deferred for an office meeting/withdrawn/submission of further information:

- LA09/2017/0541/O – Site for dwelling and garage 120m SE of 129 Ballynease Road, Portglenone for Mr Richard Mulholland – deferred for an office meeting
- LA09/2017/0968/F – Replacement storey and a half dwelling 10 Minterburn Road, Caledon for Mrs M Murphy – deferred for an office meeting with applicant and agent
- LA09/2017/1371/O – 2 storey dwelling and garage/store at 130m S of 38 Tirgan Road, Tirgan, Moneymore for Mr Declan Connery – deferred for an office meeting

- LA09/2017/1484/O – Infill dwelling and garage at land to the rear of 42 Agharan Road, Dungannon for Mr Paul McQuaid – withdrawn
- LA09/2018/0367/O – Dwelling and domestic garage 174m SSE of 11 Fallylea Road, Maghera for Mr Charlie Convery – deferred for an office meeting
- LA09/2018/0423/O – Site for infill dwellings adjacent to 30a Forgetown Road, Maghera for Mr Andrew McCrory – deferred until submission of further information
- LA09/2018/0454/F – Retention of mobile home for residential use of 170m N of 5 Doon Avenue, Aughamullen, Dungannon for Mr Martin McCaliskey – deferred for an office meeting
- LA09/2018/0495/O – 2 storey infill dwelling and garage at site adjacent to 22 Carnaman Road, Gulladuff for Mr Liam Duggan – deferred for an office meeting.

Councillor McPeake declared an interest in application LA09/2018/0495/O.

Proposed by Councillor Clarke
Seconded by Councillor Gildernew and

Resolved: That the above list of planning applications be deferred for an office meeting/ withdrawn or waiting on submission of further information and removed from tonight's list for consideration.

Matters for Decision

H/2014/0024/F 4 dwellings, access and adoptable road at 1 Loves Road, Magherafelt for Mr and Mrs McCann

The Head of Development Management presented a report on planning application H/2014/0024/F advising that it was recommended for refusal.

In response to a query, the Planning Manager advised that there was an existing house on the site and that the developer was trying to cram houses around it. He said that there was a need for them to demonstrate how this could be achieved through liaising with the planning department and felt that a favourable outcome could be achieved if worked upon. He stated that the developer had applied for 4 dwellings and it was unclear what was going to happen, as the house numbers were not consistent with spaces in between numbers, which could be seen as spaces for additional 2 dwellings.

In response to a query, the Head of Development Management advised that the site would be highly screened as it came close to high trees and hedges etc.

The Planning Manager advised that there was an onus on the Planners to approve something, which is within the character of the area.

Proposed by Councillor Glasgow
Seconded by Councillor McKinney and

Resolved: That planning application H/2014/0024/F be refused.

Councillor McKinney stated that it was disappointing that there was no representation here tonight to speak on behalf of the application and no willingness by the developer to work with the planning department.

LA09/2017/0487/F Multi-Sports and Community Hub, to include playing and training pitches, all weather skills training area multi sports games area, bowling green, tennis courts, allotment plots area, sensory garden, walking track and associated lighting and car parking at 93 Washingbay Road, Coalisland for Clonoe Rural Development Agency Ltd

Members considered previously circulated report on planning application LA09/2017/0487/F which was recommended for approval.

Proposed by Councillor McPeake
Seconded by Councillor Gildernew and

Resolved: That planning application LA09/2017/0487/F be approved subject to conditions as per the officer's report.

LA09/2017/0541/O Site for dwelling and domestic garage at 12m SE of 129 Ballynease Road, Portglenone for Richard Mulholland

Resolved: That planning application LA09/2017/0541/O be deferred for an office meeting.

LA09/2017/0713/F 3 dwellings, site road and associated siteworks at lands adjacent to and E of 100 Killyliss Road, Eglish for Mr L Cassidy

Members considered previously circulated report on planning application LA09/2017/0713/F which was recommended for approval.

Proposed by Councillor McAleer
Seconded by Councillor Gildernew and

Resolved: That planning application LA09/2017/0713/F be approved subject to conditions as per the officer's report.

LA09/2017/0968/F Replacement storey and a half dwelling at 10 Minterburn Road, Caledon for Mrs M Murphy

Mr Marrion, SPO presented a report on planning application LA09/2017/0968/F advising that it was recommended for refusal.

Councillor McPeake enquired how much square footage would be required for an average size family home as previously people were looking to increase the size of the dwelling from a small cottage.

The Planning Manager advised that the average size of a family home would be in the region of 150 square metres for a 4 bedroom home. He said that the issue wasn't about the size of the dwelling but rather how close a proposed site was to the neighbouring land, but felt that issues could be addressed easily if the applicant and agent were willing to liaise with the planners.

Councillor Gildernew said that in his opinion the way the dwelling was positioned and caked in, it was unique in character and would propose that the application be deferred until further investigation were carried out. He said that it was disappointing that there was no representation here tonight for members to have further information on the proposed application.

The Planning Manager said as it was holiday season and people could be away he would be content deferring the application for an office meeting, issuing letters to both the applicant and agent inviting them to attend.

Proposed by Councillor Gildernew
Seconded by Councillor Bell and

Resolved: That planning application LA09/2017/0968/F be deferred for an office meeting, with a letter being issued to both the applicant and agent inviting them to attend.

LA09/2017/1371/O 2 storey dwelling and garage/store at 130m S of 38 Tirgan Road, Tirgan, Moneymore for Mr Declan Connery

Resolved: That planning application LA09/2017/1371/O be deferred for an office meeting.

LA09/2017/1484/O Infill dwelling and garage at land to the rear of 42 Agharan Road, Dungannon for Mr Paul McQuaid

Resolved: That planning application LA09/2017/01484/O be withdrawn.

LA09/2018/0367/O Dwelling and domestic garage, 174m SSE of 11 Fallylea Road, Maghera for Mr Charlie Convery

Resolved: That planning application LA09/2018/0367/O be deferred for an office meeting.

LA09/2018/0423/O Site for 2 infill dwellings adjacent to 30a Forgetown Road, Maghera for Mr Andrew McCrory

Resolved: That planning application LA09/2018/0423/O be deferred until further information is submitted.

LA09/2018/0433/O Infill dwelling and garage 70m SE of 30 Tamlaghtduff Park, Tamlaghtduff, Bellaghy for Alfred Corckett

Mr McCrystal, SPO presented a report on planning application LA09/2018/0433/O advising that it was recommended for refusal.

Councillor Cuthbertson said that he would be happy to accept the officer recommendation to refuse the application.

In response to a query regarding the definition of a settlement, the Planning Manager said that it was defined as a place, which had previously been uninhabited, where people had an opportunity to expand their community into a cluster to include a focal point like a crossroads or a shop etc, and this what was being done on the area plan.

Councillor McPeake enquired what the failing was on the infill criteria as there were 2 dwellings on the north side.

The Planning Manager said that it was set back in the distance and if the site was further up the road that this could make a difference on what was being protected and where the cluster came in.

Proposed by Councillor Cuthbertson
Seconded by Councillor Robinson and

Resolved: That planning application LA09/2018/0433/O be refused.

LA09/2018/0454/F Retention of a mobile home for residential use at Approx 170m N of 5 Doon Avenue, Aughamullan, Dungannon for Martin McCaliskey

Resolved: That planning application LA09/2018/0454/F be deferred for an office meeting.

LA09/2018/0495/O 2 storey infill dwelling and garage at site adjacent to 22 Carnaman Road, Gulladuff for Liam Duggan

Councillor McPeake declared an interest in application LA09/2018/0495/O.

Resolved: That planning application LA09/2018/0495/O be deferred for an office meeting.

LA09/2018/0506/O Replacement dwelling and garage 145m SE of 16 Creevagh Road, Cookstown for Rodney Black

Members considered previously circulated report on planning application LA09/2018/0506/O which was recommended for approval.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved: That planning application LA09/2018/0506/O be approved subject to conditions as per the officer's report.

LA09/2018/0539/F Dwelling and domestic garage at 81a Killeeshill Road, Dungannon (100m W of St Paul's Church, Farriter Road, Dungannon) for Conor Holland & Maeve McKenna

Members considered previously circulated report on planning application LA09/2018/0539/F which was recommended for approval.

Proposed by Councillor Gildernew
Seconded by Councillor McAleer and

Resolved: That planning application LA09/2018/0539/F be approved subject to conditions as per the officer's report.

CONFIDENTIAL BUSINESS

Proposed by Councillor Robinson
Seconded by Councillor Clarke and

Resolved That planning application LA09/2016/1550/F be heard as confidential business.

OPEN BUSINESS

Proposed by Councillor Robinson
Seconded by Councillor McKinney and

Resolved: To resume Open Business.

LA09/2017/1158/O Site for dwelling to the rear of 5 Ballynorthland Demesne, access of Moy Road, Dungannon for Mr Keith Burgess

Members considered previously circulated report on planning application LA09/2017/1158/O which was recommended for approval.

Proposed by Councillor McKinney
Seconded by Councillor Robinson and

Resolved: That planning application LA09/2017/1158/O be approved subject to conditions as per the officer's report.

LA09/2018/0439/F Relocation and change of house type to previously approved I/2014/0016/RM (amended siting), SE of 34a Annaghmore Road, Coagh for John Quinn

Members considered previously circulated report on planning application LA09/2018/0439/F which was recommended for approval.

Proposed by Councillor Robinson
Seconded by Councillor Bell and

Resolved: That planning application LA09/2018/0439/F be approved subject to conditions as per the officer's report.

Matters for Information

P106/18 Minutes of Planning Committee held on 3 July 2018

Members noted minutes of Planning Committee held on Tuesday 3rd July 2018.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Kearney
Seconded by Councillor Gildernew and

Resolved: In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items P107/18 to

Matters for Decision

LA09/2016/1550/F Dwelling with disability adaptations 200m NE of 159 Tullyvar Road for Mr Raymond Gilmour
P107/18 Receive Enforcement Reports

Matters for Information

P108/18 Confidential Minutes of Planning Committee held on Tuesday 3 July 2018
P109/18 Enforcement Cases Opened
P110/18 Enforcement Cases Closed

P111/18 Duration of Meeting

The meeting was called for 7 pm and concluded at 7.47 pm.

Chair _____

Date _____