

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 7 March 2017 in Council Offices, Ballyronan Road, Magherafelt

Members Present

Councillor Clarke, Chair

Councillors Bateson, Bell, Cuthbertson, Gildernew, Glasgow, Kearney, Mallaghan, McAleer, McEldowney, McKinney, McPeake, Mullen (7.25 pm), Reid and Robinson

Officers in Attendance

Mr Tohill, Chief Executive
Dr Boomer, Planning Manager
Mr Bowman, Head of Development Management
Ms Doyle, Senior Planning Officer
Mr Marrion, Senior Planning Officer
Mr McCrystal, Senior Planning Officer
Ms McCullagh, Senior Planning Officer
Ms McEvoy, Head of Development Plan & Enforcement
Ms McKearney, Senior Planning Officer
Nora Largy, Council Solicitor
Una Mullen, Council Solicitor
Ms Grogan, Committee Services Officer

Others in Attendance

Applicant Speakers

LA09/2016/0579/O Mr Nugent
LA09/2016/0797/F Mr Taggart
LA09/2016/0889/F Mr Cassidy
LA09/2016/0928/O Mr Ward
LA09/2016/1279/F Les Ross
LA09/2016/1343/O Mr Nugent
LA09/2016/1487/O Councillor D Molloy
LA09/2016/1816/F Ms Clyde
LA09/2016/1816/F Les Ross
LA09/2016/0549/F Mr Cassidy

The meeting commenced at 7.00 pm.

P027/17 Apologies

Councillor J Shiels.

P028/17 Declarations of Interest

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

Councillor Robinson declared an interest in planning application LA09/2016/1816/F.

P029/17 Chair's Business.

The Planning Manager advised that there was going to be a Special Planning Workshop being held for all members on Wednesday 29 March in the Magherafelt Council Offices to go through certain scenarios which may arise and how to find a favourable solution to these.

He also advised that an Addendum had been circulated to all members present which included items for information.

Councillor Mallaghan advised that he had attended a recent ICBAN meeting in Enniskillen where it was advised that the Southern Government had made a response to the National Planning Network and enquired if this Council had any plans to do something similar as ICBAN has also firmed a response.

The Planning Manager advised that he would be doing a talk on Friday and would be giving the matter careful consideration.

Councillor Reid enquired what was the process for moving forward on an application and wanting to declare an interest if everyone else is involved. He said that felt that he couldn't be included in this whilst so many people were involved.

The Planning Manager advised that he couldn't do anything about someone contacting a Councillor, but would be of the opinion that a Councillor should advise the person to write a letter or send an email to the Planning Committee as problems may arise otherwise. He also advised if a Councillor was not involved then they wouldn't be liable to declare an interest.

Councillor Reid stated that he would be sticking to his original opinion and declaring an interest.

The Council Solicitor agreed with the Planning Manager that when an email is received by a member they should advise the person that this should be forwarded on to the Planning Committee as it can't be individually commented on. It would be a suggestion that the Planning Manager replies to the person as the problem only arises when a member engages.

P030/17 Confirm Minutes of the Planning Committee Meeting held on Tuesday 7 February 2017

Proposed by Councillor Bell
Seconded by Councillor Bateson and

Resolved: That the minutes of the meeting of the Planning Committee held on Tuesday 7 February 2017, (P014/17 – P020/17 & P026/17), were considered and, subject to the foregoing, signed as accurate and correct.

Matters for Decision

P031/17 Development Management Decisions

The Chair drew Members attention to the undernoted planning applications for determination.

LA09/2016/0370/F Timber drying area and store at lands approx. 19m SE of 3A Glenarny Road, Drum, Cookstown for Michael Bell

The Chair advised that planning application LA09/2016/0370/F had now been withdrawn.

Resolved: That planning application LA09/2016/0370/F be withdrawn.

LA09/2016/0471/F Vary of condition 3 of planning approval H/2005/1225/F – proposed raised table to be implemented when development completed at phase 4 existing Castle Oak Development, Castledawson for FP McCann Ltd

Application listed for approval subject to conditions as per the officer's report.

Proposed by Councillor Bateson
Seconded by Councillor McPeake and

Resolved: That planning application LA09/2016/0471/F be approved subject to conditions as per the officer's report.

LA09/2016/0579/O Dwelling and garage at 50m SW of 107 Whitebridge Road, Ballygawley for Ronan McRory

Mr Marrion (SPO) presented a report on planning application LA09/2016/0579/O advising that it is recommended for refusal.

The Chair advised the committee that a request to speak on the application had been received and invited Mr Nugent to address the committee.

Mr Nugent advised the committee that this was a unique planning application and possibly the first one to come before the planning committee to date. He advised that the previous owners of the land were a father and son who both had active Business ID Numbers and were both running stand alone enterprises. He said that due to rule changes, DAERA wanted farmers who share the same land and holdings to amalgamate the two into one. He said that recently that this land had been amalgamated into the one and that the new Business ID Number had never been used.

Mr Nugent asked the committee to look favourably at the application as it wasn't the father and son's choosing but on the practice of DAERA.

The Planning Manager enquired why the site across the road wasn't considered as there was infill there.

Mr Nugent advised that this case is more around the principle of the Turbitt family being unable to avail of an opportunity for a dwelling rather than the issue of the applicant.

Councillor Gildernew felt that this application needs to be deferred and clarification sought as this isn't a straight forward case and would be happy to propose this.

Councillor McPeake said that in the beginning he was sympathetic to the case and the difficulties for the farmer, but he said that he could also see why DAERA want to do this. He felt that now seeing that the applicant doesn't own the land it was a different case.

Councillor McEldowney enquired if both previous farmers had business numbers in existence for more than six years and both businesses submitted Single Farm Payment Claims and now both businesses are closed how this can be claimed for.

Councillor Mullen entered the meeting at 7.25 pm.

Councillor McKinney said that he would be concerned about the previous business owners as he came across a similar scenario when a death occurred. He said that he couldn't understand why the two businesses closed down rather than amalgamate into one. He said that rules change and there wasn't a choice in the matter and would agree with Councillor Gildernew's proposal.

Councillor Cuthbertson felt that this was more about monetary value towards a third party rather than a farm dwelling.

The Planning Manager advised that the committee should note that the applicant was the land owner however the farmers referred to were taking in land in con acre.

Councillor McAleer suggested that an office meeting be held as there were a lot of grey areas around this application and felt it would benefit from an office meeting. She said that prior to new DAERA rules the father and son both could have had a site.

Councillor Gildernew said that he would like more clarification and information before a decision was made.

Councillor Bateson stated that this was more about an entitlement principle.

Proposed by Councillor Gildernew
Seconded by Councillor McKinney and

Resolved: That planning application LA09/2016/0579/O be deferred for an office meeting.

Councillor Mallaghan enquired if there was any representation with the Department.

The Planning Manager advised that the Head of Development Management held investigations with DAERA and that all the records were brief and as a result of PPS 21. He said that clarification was sought on changes and in a lot of cases there was a lot of stuff that didn't fit into the boxes i.e. what is an active business, can you use a farm business etc. He said that it was very confusing and that planning appeals decision were not being consistent as they sometimes accept conacles and other times not.

Councillor Bell said that moving forward there was a need for further clarification on the two amalgamating into one scenario rather than disadvantage one farmer over another.

The Planning Manager agreed that it would be sensible to defer this application until further information was received on the sub division between the two farmers.

LA09/2016/0797/F Retrospective change of use to car sales yard (incl. front garden changing to hard standing car display area) and tyre/alloy wheel sales at 53 and 53a Ballyronan Road, Magherafelt for Top Gear NI

Application listed for approval subject to conditions as per the officer's report.

The Head of Development Plan advised that he had received correspondence this evening from the owner of the site concerned about the conditions laid out.

Members felt that the application be deferred until further investigations are carried out.

Proposed by Councillor McKinney
Seconded by Councillor Robinson

Resolved: That planning application LA09/2016/0797/F be deferred until all investigations are carried out.

LA09/2016/0889/F Conversion of redundant building to form one dwelling at 40m SW of 38 Lisnamuck Road, Tobermore for Mr Ian Hopper

Ms McCullagh (SPO) presented a report on planning application LA092016/0889/F advising that it is recommended for refusal.

The Chair advised the committee that a request to speak on the application had been received and invited Mr Cassidy to address the committee.

Mr Cassidy advised that an identical situation arose in 2013 and that the current application wants to take the height down from 15m to 11m and that his client would be content with the 4m loss, but that the scheme CTY14 does not stipulate the size or height. He said that TransportNI are still advising that they have no objections

and certifications have been issued and would ask that the committee to approve the application.

Councillor Kearney felt that it should be considered due to the principle in 2013 and on the agreement of an acceptable design tonight.

The Planning Manager said that he finds it difficult to see how this building could be converted as there would be no problem if it was a replacement dwelling. He said that the issue primarily related to design and advised that it would be difficult given that the applicant doesn't want to negotiate.

Councillor McPeake enquired how much of a difference there would be from a replacement dwelling to a conversion and suggested that it would be beneficial to having a fresh look at this application.

Proposed by Councillor McPeake
Seconded by Councillor Reid and

Resolved: That planning application LA09/2016/0889/F be deferred for an office meeting.

LA09/2016/0928/O Single storey dwelling on a farm at land to the W of 17 Ballynahone Road, Maghera for Mr Lloyd Porter

Ms McCullagh (SPO) asked Members to note addendum to planning agenda in relation to this planning application which advised that land ownership details were received since the planning report had been issued.

Application is now listed for approval subject to conditions as per the officer's report.

Proposed by Councillor Gildernew
Seconded by Councillor McAleer and

Resolved: That planning application LA09/2016/0928/O be approved subject to conditions as per the officer's report.

LA09/2016/1247/F Car parking adjoining existing car park at Sports Centre under construction at the Rainey Endowed Grammar School, 79 Rainey Street, Magherafelt for the Board of Governors, Rainey Endowed School

Application listed for approval subject to conditions as per the officer's report.

Proposed by Councillor Reid
Seconded by Councillor McKinney and

Resolved: That planning application LA09/2016/1247/F be approved subject to conditions as per the officer's report.

LA09/2016/1279/F Pair of semi-detached dwellings at 89 Moneysallin Road, Kilrea for David Gordon

Mr McGarvey (SPO) presented a report on planning application LA09/2016/1279/F advising that it is recommended for refusal.

The Chair advised the committee that a request to speak on the application had been received and invited Mr Ross to address the committee.

Mr Ross advised the committee that planning permission was granted in September 2010 for a replacement dwelling and garage to include integral granny flat for residential purposes. He said that there was an interconnecting door for the family and there was no planning restriction to move around the house and it was building control approved. When the original family moved out it was then used for two families and after discussion it was suggested by the planning department that the situation be sorted. In June 2012 planning permission was sought for change of use from existing dwelling to house in multiple occupancy which was refused.

He said that in the current market it works well for the two units and asked the committee to defer the application so that a favourable solution can be investigated.

Councillor McEldowney advised that a similar situation arose last month, but that it was refused and the applicant was requested to revert the building back into one unit again.

The Planning Manager said that each application should be taken on its each individual merit and feels that there is a whole range of issues. He said that currently there is two families living at the site and that human rights has to be considered but on the other hand there could be other solutions and on that note it deserves to be deferred for an office meeting.

Councillor Cuthbertson said that the situation was different from last month as this application had a dwelling with a granny flat and two entrance doors.

The Planning Manager advised that the policy was designed to facilitate individual dwellings in the countryside and would suggest deferring the application.

Proposed by Councillor Cuthbertson
Seconded by Councillor Bateson and

Resolved: That planning application LA09/2016/1279/F be deferred for an office meeting.

LA09/2016/1292/F 3 no. detached dwellings with associated access, entrance road, driveways, garages and landscaping at 21 Bush Road, Dungannon for GP Developments

Councillor Cuthbertson declared an interest in application LA09/2016/1292/F.

Application listed for approval subject to conditions as per the officer's report.

Proposed by Councillor Gildernew
Seconded by Councillor Bell and

Resolved: That planning application LA09/2016/1292/F be approved subject to conditions as per the officer's report.

LA09/2016/1343/O One and a half storey dwelling and garage at land adjacent to 30 Annaginney Road, Newmills for Robert Williamson

The Head of Development Management asked members to note addendum to planning agenda in relation to this planning application which advised that although it was recommended for refusal, he asked that due to personal circumstances that this application be deferred.

Proposed by Councillor Glasgow
Seconded by Councillor McPeake and

Resolved: That planning application LA09/2016/1343/O be deferred for an office meeting.

LA09/2016/1384/F Change of use from general purpose store to meat processing facility on ground floor at 7 Cloane Road, Draperstown for Francis McEldowney

Application listed for approval subject to conditions as per the officer's report.

Proposed by Councillor McAleer
Seconded by Councillor Kearney and

Resolved: That planning application LA09/2016/1384/F be approved subject to conditions as per the officer's report.

LA09/2016/1487/O Dwelling and garage at 100m SE of 97a Derryloughan Road, Dungannon for Patrick McCann

Councillor Reid left at 8.17 pm

The Head of Development Management presented a report on planning application LA09/2016/1487/O advising that it is recommended for refusal.

The Chair advised the committee that a request to speak on the application had been received and invited Councillor Molloy to address the committee.

Councillor Molloy advised that Mr McCann was seeking approval for a site and dwelling for his daughter and son-in-law as he has no sons. He said that the reasons for this was that his son-in-law could help on the farm and although he has a herd-book there was no stock as he was unable to have any due to health reasons. Councillor Molloy said that this was a supplementary holding in the rural community

and would be resourcing back into an income business again where Mr McCann's family intend to settle for the future.

Councillor Gildernew enquired if this was the Planners or DAERA who decided that this wasn't a farm.

The Planning Manager advised that when the Officer was looking at this application, they would have taken into consideration whether the farm was actively used or not i.e. keeping animals and maintaining the land etc. and there is evidence from the photographs provided that grass has been cut and hay baled which indicates it's active. Although there is no business number, there is a herd number until Mr McCann went into declining health. He said that he knows of cases where the Planning Department have accepted herd numbers in the past.

The Planning Manager felt that it would be reasonable for this application to be considered as there's still some extent of activity on the farm.

Councillor McPeake agreed with the Planning Manager and felt that there was enough evidence to prove that this was an active farm and that this application should be approved.

The Chair, also agreed that this was an active farm as he said that grass doesn't grow without fertiliser which indicates other types of farming taking place also.

Councillor Gildernew said that he was disheartened to be sitting here tonight discussing a farmer's right to a site and felt that things are hard enough for farmers as it was.

The Planning Manager advised members that the Planning Department's hands are tied by the rules of Stormont.

Proposed by Councillor McPeake
Seconded by Councillor Gildernew and

Resolved: That planning application LA09/2016/1487/O be approved subject to conditions set out by the Planning Manager.

LA09/2016/1654/A Flat screen sign with moving and static images fixed to gable wall at Walshes Hotel, 53 Main Street, Maghera for Kieran Bradley

Ms Doyle (SPO) presented a report on planning application LA09/2016/1654/A advising that it is recommended for refusal.

Councillor Kearney suggested that this application be deferred until after the Special Planning Workshop on the 29 March 2017.

Proposed by Councillor Kearney
Seconded by Councillor Bell and

That planning application LA09/2016/1654/A be deferred until after the Special Planning Workshop on the 29 March 2017.

Councillor McKinney raised concern about other similar applications being refused and enquired what the difference was as it was on the same stretch of road.

The Planning Manager advised that during the day that this sign doesn't have a huge impact, but during the night the sign was very large and could be detrimental to a motorist's concentration.

Proposed Councillor McKinney
Seconded Councillor Cuthbertson and

To refuse the application.

Councillor Bell stated that he takes on board Councillor McKinney's concerns and that the application was only going to be held until after the Workshop and advised that members weren't aware of the Workshop when the decision was taken on Tobermore and Cookstown.

Councillor Bateson stated that the sign was very intrusive and doesn't want the committee to think that members were favouring some signs over others.

The Planning Manager advised that the Workshop was about how to decide on the environment and where the public wants to live.

Councillor McPeake stated that safety was paramount and that the sign in Tobermore was situated between two mini roundabouts. He said that this sign was not paramount as it can't be compared to one another.

Councillor Glasgow said that he could concur with Councillor McKinney as this sign was a much larger and intrusive sign compared to the two signs in Tobermore and Cookstown. He said that this site was a heavily congested area and a large screen on the wall was going to cause problems.

The Chair put Councillor Kearney's proposal to defer the application until after the Special Planning Workshop on 29 March to the vote:

For - 9
Against - 4

Resolved: That planning application LA09/2016/1654/A be deferred until after the Special Planning Workshop on the 29 March 2017.

LA09/2016/1816/F Extension of existing vehicle lane to provide access to approved solar farm at Dale Farm at 139 Moneymore Road, Cookstown for Solar Farm DFD Ltd

The Planning Development Manager asked Members to note addendum to planning agenda in relation to additional objection letter and a letter of support which had been received since the planning report had been issued.

The Chair advised the committee that a request to speak on the application had been received and invited Mr Ross to address the committee.

Mr Ross stated that he was opposing this application on behalf of the objector. He said that the land for the VS was available but that the applicant hadn't sought the legal rights to put these in place and hasn't put forward any reasons why the visibility should not be put in place. This is due to the landowners using the original access as a ransom strip which make the scheme unviable.

Mr Ross advised that his clients would be happy to agree to the application if there was a monetary agreement between them as this was about a point of principle and that the council must accept the protected route. He said that the Council have no evidence and no figure in front of them and that this could be sorted out for a fair and modest payment.

Mr Ross stated that the extension of the existing vehicular lane was through a flood plain and that the Rivers Agency were ignoring this. He said that an approval of this application would result in a judicial review against the Council and not the developer and that his client was requesting a deferral until discussions have taken place on a possible favourable outcome.

The Chair advised the committee that a request to speak on the application had been received and invited Ms Clyde to address the committee in favour of the applicant.

Ms Clyde advised that landowners had received written correspondence and were asked to concentrate on the lane and that it was reasonable to say that there was no policy applicable as it had to show intensification. She said that it would result between 15 – 16 extra vehicles per day additional to 210 staff and 60 deliveries on a daily basis. She felt that Policy AMP3 shouldn't be deployed as there was no intensification and that the policy allows for exceptional circumstances.

The Planning Manager advised the committee not to be swayed by threats of Judicial Review.

He enquired if Strategic Planning had signed the Article 41 Notice correctly and that to fail to do this could be an offence and that both solicitors in attendance could verify this.

Ms Clyde advised that her firm did sign the notice however, she advised that a landowner had been mistakenly missed but the application was advertised and no-one came forward to claim ownership.

The Planning Manager enquired if Ms Clyde would be willing to give up the access in the original permission conditional upon this approval.

Ms Clyde agreed that she would be happy to agree to this rather than give up the application.

The Planning Manager stated that the objector was indicating that they would be happy to negotiate a monetary deal, but that this was not the Planners responsibility rather the responsibility of the two parties concerned. He said that there was a need to define if allowing this access was detrimental to the protected routes as it's within the settlement limit. TransportNI have advised that they don't have any issues relating to this.

Councillor McKinney advised that the Committee had approved a solar farm on both conditions last January. He said that a similar scenario was raised earlier in the meeting regarding another application and felt that leniency was made towards one direction compared to another.

Councillor Bell stated that he agreed with Councillor McKinney and that this should be applied.

The Planning Manager said that there was a difference between the two and asked that all the three people involved come together in the confusion. He said that planning permission had been approved and it was shown on the application that proper notices weren't served and it was up to the Planners to go back and consider whether to apply prosecution for the offence or not.

Councillor Glasgow said that it was unfortunate how the agents have dealt with this and that if a deferral is agreed to they should go away and deal with all the people involved as no-one wants a prosecution. He said that he finds it hard to believe that TransportNI agreed to this application considering the number of fatalities on this stretch of road.

Councillor Gildernew agreed with Councillor Glasgow and felt that there were a lot of grey issues within this application and that it should be deferred.

The Planning Manager said that consideration was already given and that permission was granted, but that he would consult with our solicitors the Lawyers on whether prosecution should be sought and that it would be wise to defer the application for one month so that all parties have an opportunity to discuss the matter.

Councillor Bateson enquired if TransportNI would be asked to confirm their reasons on areas of intensifications.

Councillor Mallaghan enquired on how long the planning application was on the system.

The Head of Development Management advised that the application was on from the 23 September and as it was less than 5% for direct traffic and no intensifications and by way of suitable conditions, he would be happy to agree to the application.

Councillor Cuthbertson advised that there was a need to be consistent and felt that there were a lot of grey areas which needed careful consideration.

The Planning Manager stated that any Judicial Review would hold the whole process up and that a deferral would avoid this.

Councillor McKinney felt that setting out conditions were useless unless they were acted upon.

The Planning Manager stated that the conditions haven't been broken and the issue between the two parties purely related to agreeing a value for the provision of access.

Proposed by Councillor McKinney
Seconded by Councillor Gildernew and

Resolved: That planning application LA09/2016/1816/F be deferred for one month until all parties come together to try and reach a favourable outcome.

*Meeting recessed at 9.25 pm and recommenced at 9.45 pm.
Councillor Gildernew did not return to the meeting.*

Deferred Applications

LA09/2015/0084/O Dwelling and garage at 18m SW of 40 Fallaghloon Road, Maghera for Kevin Glass

Application listed for approval subject to conditions as per the officer's report.

Proposed by Councillor McKinney
Seconded by Councillor Bell and

Resolved: That planning application LA09/2015/0084/O be approved subject to conditions as per the officer's report.

LA09/2015/0549/F Shed extension to supersede previous approval at 23 Ballymacombes Road, Portglenone for Peter Donnelly

The Head of Development Management presented a report on planning application LA09/2015/0549/F advising that it was recommended for refusal.

Councillor McPeake said that unfortunately he missed the site meeting but that he knew the area very well and had looked at the site. He said that in his opinion one shed wasn't going to make a detrimental change to the area and on the scale of things he would be happy to agree to the approval of the application.

Councillor Mallaghan advised that he would be of the same sentiments of Councillor McPeake and that he found this a difficulty with retrospective planning applications and would be concerned about behaviour of applicants.

Councillor Bateson said that he also knows the road well and would have difficulty seeing how this shed would change the rural character of the area. He said that this was a clear cut case as it wouldn't have a detrimental effect or change the character

of the area. He said that in his opinion it doesn't make any sense as it would be a different story if it changed the character of the area.

The Chair advised the committee that a request to speak on the application had been received and invited Mr Cassidy to address the committee.

Mr Cassidy advised that other applications have been approved in a shorter timeframe and that this application was held up and that the previous application was approved in 2012 which was similar. He said that the shed would be occupied by wood shavings and its activities and would only be the height of a tipper lorry to shed its load. He said that development was essential for this location and that the applicant had 30 lorries and trailers. He advised the committee that this was an ordinary application but due to the length of time considering it went into retrospective due to no fault of the applicant.

Councillor Kearney confirmed what Mr Cassidy was saying as he said that he lived beside the site and felt that the application should be supported.

The Planning Manager felt that there were a few things to consider like the last planning appeal where the Commissioner's views were relating to the visual break in the development and the detrimental effect it would cause to the area.

Councillor Bateson advised that it could be a never-ending development if it were to be extended, but conditions placed on it could remedy this.

The Planning Manager said that there was an onus on the committee to not to be naive and take into consideration the boundaries and the potential for another building as the building was 500m from the boundary.

Councillor Bell also said that he was aware of the site and that it wasn't far out of Portglenone and would be of the same opinion as Councillor McPeake.

The Planning Manager advised that it would be reasonable to take into account the difficulty in finding industrial sites in settlements in this area together with the impact of floodplains on alternative available land.

The Chair stated that if the site was in Claudy for instance it would dominate the village but this site was ideal as it isn't impacting on any rural character.

Councillor Mallaghan said that he would have no difficulty approving this application as rural areas outside development zones has industrial parks i.e. Carrickmore which creates employment.

Proposed by Councillor Mallaghan
Seconded by Councillor Bell and

Resolved: That planning application LA09/2015/0549/F be approved and that conditions be determined by the Planning Manager.

LA09/2016/1291/A LED signboard with electronic display to front wall at 58-66 Church Street, Cookstown for Dun Leisure Ltd

Application listed for approval subject to conditions as per the officer's report.

Proposed by Councillor Mallaghan
Seconded by Councillor Bell and

Resolved: That planning application LA09/2016/1291/A be approved subject to conditions as per the officer's report.

The Planning Manager advised that committee that he would advise at the Special Planning Workshop on how a decision was made on this application.

Councillor Bell left the meeting at 10.10 pm.

P032/17 Major Applications Protocol

The Planning Manager presented previously circulated report to seek Members agreement to adopt a Protocol for the processing of Major planning applications.

Members all agreed.

Resolved: That the Protocol be adopted and placed on the Council's website and made available for agents. That the Protocol be reviewed after one year.

P033/17 Royal Town Planning Institute (RPTI) Awards

The Planning Manager presented previously circulated report to inform Members of the Council's success at being nominated for an award and seeking agreement to send delegates to the awards ceremony.

Councillor McPeake sought clarification on Chair and Deputy Chair.

The Planning Manager advised that it was Chair and Deputy Chair of Council not the Planning Committee.

Councillor Mallaghan said that he would make the proposal that in addition to the Chair and Deputy Chair of the Council and Planning Officer, that the Chair of Planning Committee also attends when elected.

Proposed by Councillor Mallaghan
Seconded by Councillor Bateson and

Resolved: That Council book places at the awards for the Chair, Deputy Chair of the Council, a Planning Officer and Chair of Planning Committee to attend.

P034/17 Mid Ulster Local Development Plan – Delegation of Authority to Planning Manager to Set Up a Number of Forums to Discuss Cross Boundary Planning Issues

The Head of Development Plan & Enforcement presented previously circulated report to seek the permission of Members to set up a number of forums to discuss common/shared cross boundary planning issues with neighbouring councils/authorities.

The following nominations were made:

Lough Neagh – Councillors Kearney and McPeake
The Sperrins – Councillors Clarke and Mallaghan
Cross Border – Councillors Bateson, Gildernew, McAleer and McPeake

- Resolved:**
- 1) That Members note the contents of the paper and delegate authority to the Planning Manager to organise the suggested forums in respect of the Mid Ulster LDP.
 - 2) That Members as listed above be nominated to represent Mid Ulster on each of the 3 forums: Lough Neagh, The Sperrins and Cross Border Group.

The Chief Executive left the meeting at 22.25 pm.

Matters for Information

P035/17 Mid Ulster Council's Response to a Consultation Request from DFI for a Proposed Windfarm at Lands approximately 3km west of Swatragh accessed off the Corlackey Road – Ref LA09/2016/0232/F

The Head of Development Management presented previously circulated report to provide Members with an update on the latest position on the Department's decision in relation to the above application.

P036/17 Planning Appeal Decisions

The Head of Development Management presented previously circulated report advising Members of recent decision made by Planning Appeals Commission.

P037/17 Gas to the West Project

The Planning Manager asked Members to note addendum to planning agenda in relation to Department for Infrastructure Notice of Opinion to approve Gas Pipeline application.

Resolved: That Mid Ulster District Council to request an opportunity to appear before and be heard by the Planning Appeal Commission within 28 days of date on letter which was 2nd March 2017.

CONFIDENTIAL BUSINESS

Proposed by Councillor Glasgow
Seconded by Councillor Kearney and

Resolved: That items P038/17 to P041/17 be taken as confidential business.

P042/17 Duration of Meeting

The meeting was called for 7.00pm and ended at 22.55 pm.

Chair _____

Date _____