



## **ADDENDUM TO PLANNING COMMITTEE AGENDA**

**FOR PLANNING COMMITTEE MEETING ON: 7 December 2021**

**Additional information has been received on the following items since the agenda was issued.**

### **Chairs Business**

Receive letters from DEARA in relation to Consultations on Planning Applications

Receive letter from DFI Planning in relation to Draft Plan Strategy

<b>ITEM</b>	<b>INFORMATION RECEIVED</b>	<b>ACTION REQUIRED</b>
4.8	Objections received have not been considered.	Defer to allow consideration of objections and notification of amended scheme.
4.9	Objections received have not been considered.	Defer to allow consideration of objections and notification of amended scheme.
4.23	Additional letter in support and objection received	Members to note
5.1	Site plan with existing and proposed levels	Substitute drawing 02/1 bearing the stamp dated 30-NOV-2021 instead of drawing No 02 in conditions 2 and 3 and remove condition 4.
5.7	Agent has written to confirm the application is now withdrawn	Members to note
5.8	Agent has informed us of a misspelling of the applicant's surname which is correct on P1 form as Mr Raymond Paine	Members to note
5.9	Additional Objection received	Members to note and consider

**Closed Business-** Members are advised that LA09/2021/0014/CA Unauthorised mobile home and hardstanding to the rear of 17 Drumrot Road, Moneymore, Londonderry, BT45 7QH has been removed from the Enforcement Agenda. More information is required before proceeding to Notice.





Department of  
**Agriculture, Environment  
and Rural Affairs**  
[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

Name  
Address/Email Address

**Natural Environment Division**

3<sup>rd</sup> Floor  
Klondyke Building  
Cromac Avenue  
Gasworks Business Park  
Malone Lower  
Belfast  
BT7 2JA

Telephone: 028 90 650207

Email: [Planningresponse.team@daera-ni.gov.uk](mailto:Planningresponse.team@daera-ni.gov.uk)

Your reference:  
Our reference:

Date: 8 November 2021

Dear [HEAD PLANNER]

**DAERA ACTIONS TO IMPROVE PLANNING CONSULTATION DELAYS AND TEMPORARY IMPACT ON CASELOAD MANAGEMENT PRACTICES.**

The purpose of my writing to you at this time is twofold: to provide you with an update in relation to the actions which the Department, as a Statutory Consultee in the planning process, is taking to improve our planning consultation response times, and consequently advise you of the temporary impact of these actions on a number of caseload management practices currently in operation.

Over the last 6 to 8 months the Department has been experiencing an increasing trend in the number of planning consultations being submitted to DAERA in our role as a Statutory Consultee; data provided by DfI in their most recent Northern Ireland Planning Statistics Bulletin for the first quarter of 2021/22 supported this position of increased levels of planning activity. While interventions undertaken in the earlier part of 2021 demonstrated that NIEA had significantly improved our performance, the Department recognises that this improvement is now in reverse and backlogs are accumulating.

The Department is taking a number of actions to address this situation with the aim of reducing the backlog over the coming months including the redeployment of staff and additional casual workers being secured. Nonetheless a significant contributory factor in the escalation of the backlog has been the large volume of queries from planners, agents and citizens alike seeking updates and prioritisations in relation to specific applications,

**Update Requests**

Since 1 January 2021 NIEA has dealt with approximately 1,750 update requests for information in addition to the number of direct phone calls and e-mails that case officers continue to receive. As I'm sure you can appreciate, only the specific case officer dealing with the consultation can evaluate the estimations of response times associated with these types of request, consequently this diverts their time away from processing actual responses.

**Action One:** To maximise the time case officers spend on assessing and responding to consultations, from **8 November 2021** DAERA will no longer provide indicative response times for any consultation until further notice.

While the Department recognizes the negative impact this action may have on our communications messaging it is hoped that the redirection of effort on the actual processing of consultations will yield an immediate impact on improving our statutory consultation return rates and response times; the ability to reduce the backlog will in turn reduce the number of such queries arising.

### **Prioritisation Requests**

As Head Planners you will be familiar with the competing priorities in relation to the processing of a range of applications within your Planning Authority at any given time. To assist with these competing demands NIEA has provided a mechanism whereby requests can be made via yourselves to prioritise particular planning applications; over the past year the Department has received an ongoing and wide range of such types of requests. Although it was intended that this mechanism should only be used in exceptional circumstances, as there could be equality implications, we are receiving numerous requests for prioritisation per week which given our current resourcing level cannot be accommodated.

**Action Two:** To maximise the time case officers spend on assessing and responding to consultations and to consider whether a more robust prioritisation process could be developed, from **8 November 2021** DAERA will not be accommodating any prioritisation requests until further notice.

Similar to Action One above, it is hoped that concentrated focus on the actual processing of consultations within these competing demands will yield an immediate impact on improvements in our performance. The cumulative effect of both of these actions will in itself provide a more consistent framework for delivery thereby reducing the backlog which will in turn reduce the number of such queries arising.

### **DAERA Webpage Alert**

To assist with the Departments communication around these temporary arrangements, an advisory message has been uploaded onto the DAERA webpage. This advises all users of our service that the Department has implemented a number of actions to improve our performance and we anticipate these steps will enable us to respond to our current backlog within the next **16 weeks**. The Department has consequentially taken the decision that we will no longer be providing responses to any requests for updates or prioritisations until further notice.

This is the standard departmental response that will be issued for the next 16 weeks should any update or prioritisation request be sought.

**Action Three:** A message has been uploaded onto the DAERA webpage advising customers of our actions; a copy of this message has been attached at Annex A for information.

As one of the major consultees in the planning process providing advice on a wide range of technical and environmental areas to support planning authorities, DAERA recognises the need to deliver in relation to our performance rate. With competing priorities for staff time it is essential that the actions above are taken to provide a more consistent daily framework to maximise the time case officers are spending on assessing and responding to planning consultations.

Thank you for your cooperation and patience as we adopt these measures to improve our performance rate.

Yours sincerely,

**MARK HAMMOND**  
**Head of Natural Environment Division Operations**

DAERA-10-10-10



**Natural Environment Division - Planning Consultation Update**

DAERA wish to alert all customers that we are currently experiencing a very heavy workload resulting in delays to planning consultation responses. The Department has implemented a number of actions to improve our customer service and to enable us to address our current backlog.

Providing indicative response times for inquirers diverts resource from making responses to consultations, the large volume of these are therefore slowing down our ability to respond. We appreciate the concerns of those waiting for responses so we will be focussing all resources **on making responses asap** rather than using resource to indicate when responses are anticipated.

**The Department has consequentially taken the decision that it will no longer be providing responses to any requests for updates until further notice.**

We acknowledge the delays in the current process and appreciate your cooperation and patience as we seek to address this situation and improve performance rates.





From the Office of the  
Minister of Agriculture,  
Environment and Rural Affairs



Department of  
**Agriculture, Environment  
and Rural Affairs**

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

Ms Anne Donaghy  
Clerk & Chief Executive  
Mid & East Antrim BC  
The Braid  
1-29 Bridge Street  
Ballymena  
BT43 5EG  
[AnneDonaghy@midandeantrim.gov.uk](mailto:AnneDonaghy@midandeantrim.gov.uk)

Room 438  
Dundonald House  
Upper Newtownards Road  
Ballymiscaw  
Belfast  
BT4 3SB  
Telephone: 028 9052 4140  
Email: [private.office@daera-ni.gov.uk](mailto:private.office@daera-ni.gov.uk)

Your reference: AD/KM  
Our reference: CORR-0253-2021  
Date: 2 March 2021

Dear Ms Donaghy

### **NIEA Operational Policy on Ammonia Emitting Projects**

Thank you for your letter dated 18 February 2021 requesting an update on the Department's operational protocol for assessment of air pollution impacts. Unfortunately the Department was not able to publish a consultation before the end of last year. However, as advised by Minister Poots, work on the draft NI Ammonia Strategy is in its final stages of preparation and it is still the intention of my Department to consult on this important issue as soon as possible.

With regards to the reconsultations which have outstanding DAERA responses, I am aware of the frustration and distress that delays in the planning system can have on applicants. The Department is currently considering these cases and we will endeavor to respond as quickly as possible. I note, however, that it is within the planning authorities' power to determine these applications without further input from my Department.

Yours sincerely

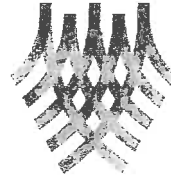
**GORDON LYONS MLA**  
**Minister of Agriculture, Environment and Rural Affairs**

***Sustainability at the heart of a living, working, active landscape valued by everyone.***

If you are deaf or have a hearing difficulty you can  
contact the Department via the Next Generation Text  
Relay Service by dialling 18001 + telephone number.







**Mid & East  
Antrim**  
Borough Council

Ref: TC/ab/NR

5 July 2021

Sent via email: [private.office@daera-ni.gov.uk](mailto:private.office@daera-ni.gov.uk)

Minister Edwin Poots MLA  
Department of Agriculture, Environment and Rural Affairs  
Dundonald House  
Upper Newtownards Road  
Ballymiscaw  
Belfast  
BT4 3SB

Dear Minister Poots

**Re: NIEA Operational Policy on Ammonia Emitting Projects**

At the June Full Council meeting, Elected Members agreed to write to you as Minister for Agriculture, Environment and Rural Affairs to get an update on your undertaking to progress a review of the operational policy for ammonia emitting projects. Council understands that the draft NI Ammonia Strategy is in the final stages of preparation and looks forward to the public consultation.

Council recognises there are a number of outstanding consultations with NIEA in relation to a number of intensive farming planning applications. In order for planning authorities to satisfy themselves that all risks to the environment have been properly considered, it is necessary to consult with NIEA who, as a statutory consultee, have a duty to provide a substantive response within 21 days.

NIEA consultation responses routinely advise that if the Natural Environment Division is to be re-consulted following the submission of additional information, the appropriate assessment undertaken by the competent authority should be included. However, when re-consulted NIEA is failing to respond.

In the absence of a substantive reply, Councils are unable to ascertain NIEA's position in its role as a Statutory Nature Conservation Body and any decisions taken by local authorities without further input from NIEA would therefore be at risk of legal challenge. NIEA has a statutory responsibility to provide timely responses and I would encourage you to instruct your officials to respond to the outstanding consultations without further delay.

Please reply to:

▣ **Head Office**  
The Braid  
1-29 Bridge Street  
Ballymena BT43 5EJ

Tel: 0300 1245 000

▣ **Ballymena Office**  
Ardeevin  
80 Galgorm Road  
Ballymena BT42 1AB

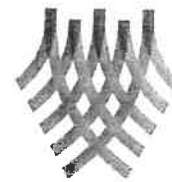
[www.midandeantrim.gov.uk](http://www.midandeantrim.gov.uk)

▣ **Carrickfergus Office**  
Museum & Civic Centre  
11 Antrim Street  
Carrickfergus BT38 7DG

▣ **Larne Office**  
Smiley Buildings  
Victoria Road  
Larne BT40 1RU

▣ **Planning Office**  
Silverwood Business  
Park  
190 Raceview Road  
Ballymena  
BT42 4HZ

Chief Executive OBE  
Anne Donaghy



**Mid & East  
Antrim**  
Borough Council

I would also welcome a meeting at a suitable time to discuss the draft NI Ammonia Strategy.

Yours sincerely

**Ms Anne Donaghy OBE**  
**Clerk & Chief Executive**

Please reply to:

■ **Head Office**  
The Braid  
1-29 Bridge Street  
Ballymena BT43 5EJ

Tel: 0300 1245 000

□ **Ballymena Office**  
Ardeevin  
80 Galgorm Road  
Ballymena BT42 1AB

[www.midandeantrim.gov.uk](http://www.midandeantrim.gov.uk)

□ **Carrickfergus Office**  
Museum & Civic Centre  
11 Antrim Street  
Carrickfergus BT38 7DG

□ **Larne Office**  
Smiley Buildings  
Victoria Road  
Larne BT40 1RU

□ **Planning Office**  
Silverwood Business  
Park  
190 Raceview Road  
Ballymena  
BT42 4HZ

Chief Executive OBE  
Anne Donaghy

**From the Office of the  
Minister of Agriculture,  
Environment and Rural Affairs**



Department of  
**Agriculture, Environment  
and Rural Affairs**

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

Ms Anne Donaghy OBE  
Clerk & Chief Executive  
Mid & East Antrim BC  
The Braid  
1-29 Bridge Street  
Ballymena  
BT43 5EJ  
[Anne.Donaghy@midandeastantrim.gov.uk](mailto:Anne.Donaghy@midandeastantrim.gov.uk)

DAERA Private Office  
Room 438  
Dundonald House  
Upper Newtownards Road  
Ballymiscaw  
Belfast  
BT4 3SB  
Telephone: 028 9052 4140  
Email: [private.office@daera-ni.gov.uk](mailto:private.office@daera-ni.gov.uk)

Our Ref: INV-0401-2021  
Your Ref: TC/ab/NR  
Date: 29 July 2021

Dear Ms Donaghy

**MEETING TO DISCUSS DRAFT AMMONIA STRATEGY AND NIEA OPERATONAL  
POLICY**

Thank you for your letter of 5 July 2021 requesting a meeting to discuss the draft Northern Ireland ammonia strategy and NIEA operational policy.

I would be pleased to meet with you and the members of Mid and East Antrim Borough Council to discuss these issues

My Diary Secretary, Lauri Hutton, will contact you in due course to make the necessary arrangements.

Yours sincerely

**EDWIN POOTS MLA**  
Minister of Agriculture, Environment and Rural Affairs



**INVESTORS  
IN PEOPLE**

If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.



**Sustainability at the heart of a living,  
working, active landscape valued  
by everyone.**



Edwin Poots MLA  
Minister of Agriculture, Environment and Rural Affairs

E mail: [private.office@daera-ni.gov.uk](mailto:private.office@daera-ni.gov.uk)

12 October 2021

Dear Minister Poots,

**NIEA Operational Policy on Ammonia Emitting Projects**

I would like to thank you for taking the time to meet with Council on the 13 September 2021 to discuss your Department's review of the operational policy for ammonia emitting projects and of the progress on NIEA clearing a backlog of outstanding planning consultations.

At this meeting, you advised that the Habitats Directive did not apply to Northern Ireland, and that your Department was seeking legal advice on this matter from the Attorney General.

The Directive was transposed into domestic law i.e. **Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995**, and to ensure that the regulations remain operational after the EU transition period, changes were made by the **Conservation (Natural Habitats, etc.) (Amendment) (Northern Ireland) (EU Exit) Regulations 2019**.

In December 2020, your Department published guidance explaining The Conservation (Natural Habitats, etc.) (Amendment) (NI) (EU Exit) Regulations 2019, which clarified that the obligations within the Directive have not changed, can you clarify your statement that the Directive no longer applies to Northern Ireland?

You also indicated at the meeting that you were taking legal advice from the Attorney General on the outstanding planning consultations and this was the rationale for the delay. I would like ask to what exactly you are taking legal advice on in respect to these outstanding consultations.

Finally, can you could provide a timeline for the completion of the review of the operational policy for ammonia emitting projects and publication of the draft NI Ammonia Strategy for public consultation. Shared Environmental Services is keen to

Please reply to:

☐ **Head Office**  
The Braid  
1-29 Bridge Street  
Ballymena BT43 5EJ

☐ **Ballymena Office**  
Ardeevin  
80 Galgorm Road  
Ballymena BT42 1AB

☐ **Carrickfergus Office**  
Museum & Civic Centre  
11 Antrim Street  
Carrickfergus BT38 7DG

☐ **Larne Office**  
Smiley Buildings  
Victoria Road  
Larne BT40 1RU

☐ **Planning Office**  
Silverwood Business  
Park  
190 Raceview Road  
Ballymena  
BT42 4HZ

Chief Executive OBE  
Anne Donaghy

Tel: 0300 1245 000

[www.midandeantrim.gov.uk](http://www.midandeantrim.gov.uk)



**Mid & East  
Antrim**  
Borough Council

work collaboratively with DAERA to deliver a comprehensive approach to the reduction of ammonia levels across Northern Ireland and encourage the sustainable growth of the Agri-food business.

Yours sincerely

**Nicola Rowles**  
**Director of Development**

Please reply to:

☐ **Head Office**  
The Braid  
1-29 Bridge Street  
Ballymena BT43 5EJ

Tel: 0300 1245 000

☐ **Ballymena Office**  
Ardeevin  
80 Galgorm Road  
Ballymena BT42 1AB

[www.midandeantrim.gov.uk](http://www.midandeantrim.gov.uk)

☐ **Carrickfergus Office**  
Museum & Civic Centre  
11 Antrim Street  
Carrickfergus BT38 7DG

☐ **Larne Office**  
Smiley Buildings  
Victoria Road  
Larne BT40 1RU

☐ **Planning Office**  
Silverwood Business  
Park  
190 Raceview Road  
Ballymena  
BT42 4HZ

Chief Executive OBE  
Anne Donaghy





Ms Nicola Rowles  
Director of Development  
Mid & East Antrim Borough Council  
Silverwood Business Park  
190 Raceview Road  
Ballymena  
BT42 1HN

[Lesley.Lockington@midandeastantrim.gov.uk](mailto:Lesley.Lockington@midandeastantrim.gov.uk)

Room 438  
Dundonald House  
Upper Newtownards Road  
Ballymiscaw  
Belfast  
BT4 3SB  
Telephone: 028 9052 4140  
Email: [private.office@daera-ni.gov.uk](mailto:private.office@daera-ni.gov.uk)

Our Ref: CORR-1096-2021  
Date: 21 October 2021

Dear Ms Rowles

### **NIEA Operational Policy on Ammonia Emitting Projects**

Thank you for your correspondence of 12 October 2021. I will address each of your queries in order.

I can confirm that since our last meeting I have met with the Attorney General. I am currently considering her advice.

As I have previously stated I am aware of the frustrations and stress delays in the planning system cause for applicants. However, it remains within the power of the planning authorities to determine the outstanding reconsultations without further advice from my Department.

With regard to the time line on the publication of the draft Northern Ireland Ammonia Strategy and public consultation, it remains my desire to consult on the strategy soon.

I welcome the commitment to work collaboratively on this important subject and to deliver a comprehensive approach to the reduction of ammonia levels across Northern Ireland.

Yours sincerely

**EDWIN POOTS MLA**  
Minister of Agriculture, Environment and Rural Affairs



**INVESTORS  
IN PEOPLE**



# OAKLAND VILLAS RESIDENTS

15 NOV 2021

In response to Planning application LA09/2021/0146/0, Oakland Villas residents would like some views and concerns to be raised and considered at the planning meeting. Whilst we do not have any major issue with the infill site location, we do not support the current scheme design on the basis of the access through Oakland Villas to the proposed site.

## CONCERNS

- Existing traffic from site (Builders yard?) has not been utilized through Oakland Villas as stated in the application. (Picture A)
- No consideration for residents has been made within the existing application. Parking is already tight within Oakland Villas without losing more space to further access.
- Heavy construction traffic may not be able to access the proposed site when vehicles are parked.
- Heavy construction traffic may cause damage to existing kerbing, ironwork and surfacing.
- Increased site traffic will cause an increased danger to residents who cross the existing road to access the green area.
- Existing concrete laneway access from the main road has not been considered as an alternative access to the proposed infill site application. (Picture B)
- A part of Greenspace and Mature trees within Oakland Villas has already been removed recently to achieve access to the proposed site. (Pictures C + D)

## PROPOSALS

The residents of Oakland Villas propose that the above concerns be addressed prior to approval for the current application. We reiterate that we do not object to the placement of the proposed infill site but have major concerns about the access proposed. Particularly the increased heavy traffic causing damage and safety risk to residents during the construction phase.

## SIGNED

Zandra Morgan  
Uel Carson  
SIRBATIVE  
Q. Williams

## ADDRESS

