

Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 4 July 2023 in Council Offices, Circular Road, Dungannon and by virtual means

Members Present

Councillor S McPeake, Chair

Councillors Black*, J Buchanan, Carney, Clarke, Cuthbertson, Graham, Kerr, Mallaghan, Martin, McConnell, McElvogue, McFlynn, D McPeake*, Robinson, Varsani

Officers in Attendance

Mr Bowman, Head of Strategic Planning (HSP)
Ms Donnelly, Council Solicitor
Ms Doyle, Head of Local Planning (HLP)
Mr Marrion, Senior Planning Officer (SPO)
Ms McAllister, Senior Planning Officer (SPO)**
Ms McCullagh, Senior Planning Officer (SPO)**
Ms McKinless, Senior Planning Officer (SPO)
Mr McClean, Senior Planning Officer (SPO)**
Miss Thompson, Democratic Services Officer

Others in Attendance

Councillor Bell***
Councillor Brown***
Councillor McAleer

LA09/2022/0063/O
LA09/2022/1426/O

Mr Cassidy***
Mr Devlin

- * Denotes members and members of the public present in remote attendance
** Denotes Officers present by remote means
*** Denotes others present by remote means

The meeting commenced at 7.00 pm

P065/23 Notice of Recording

Members noted that the meeting would be webcast for live and subsequent broadcast on the Council's You Tube site.

P066/23 Apologies

None.

P067/23 Declarations of Interest

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

Councillor Cuthbertson declared an interest in agenda item 5.2 – LA09/2021/1256/F and agenda item 5.11 – LA09/2023/0404/F.

P068/23 Chair's Business

The Head of Local Planning (HLP) referred to the addendum circulated and correspondence dated 26 June 2023 from the Department in relation to their Notice of Opinion regarding the application for the extraction, transportation and working of sand and gravel from Lough Neagh. The HLP advised that the letter states that any requests to appear before and be heard by the Planning Appeals Commission must be received within eight weeks from the date service of the Notice.

Councillor Mallaghan proposed that a report on this matter be brought to Committee in August so that the Committee can make an informed decision. Councillor Mallaghan also proposed that the Planning Committee be given delegated authority at the July Council meeting in relation to this matter in order for a submission to be submitted before the deadline.

Councillor Clarke seconded Councillor Mallaghan's proposals.

The Chair, Councillor S McPeake felt that these were good proposals and that the Committee needed to be sure that the fishing rights on the Lough co-exist mutually with the right to extract sand.

Resolved That a report on planning application LA03/2021/0940/F - Application for the extraction, transportation and working of sand and gravel from Lough Neagh and related correspondence from Department on their Notice of Opinion be brought to August Planning Committee.
That the Planning Committee be given delegated authority at the July Council meeting to allow a response to be submitted to the Department regarding the Notice of Opinion before the deadline.

The HLP referred to the below applications which were on the agenda for determination and sought approval to have the following applications deferred from tonight's meeting schedule for an office meeting –

Agenda Item 5.10 - LA09/2023/0373/O - Replacement dwelling at 270m SE of 101 Barnaghs Road, Dungannon for Mr Sean O'Donnell.

Agenda Item 5.12 – LA09/2023/0487/O - Dwelling and garage adjacent to & SW of 65 Mullybrannon Road, Dungannon for Mr Peter O'Donnell.

Agenda Item 5.13 – LA09/2023/0488/O - Dwelling and garage adjacent to and NW of 30A Dunseark Road, Dungannon for Mr Peter O'Donnell.

The HLP also advised that the following applications should be deferred in order to allow time to consider additional information –

Agenda Item 5.9 – LA09/2023/0359/O - Infill dwelling and garage at land approx. 190m SE of 2 Lisalbanagh Road, Magherafelt for Mr Richard Brown.

Agenda Item 6.6 - LA09/2022/1288/O - Replacement dwelling at 15 Finulagh Road, Castlecaulfield for Ryan McGurk.

The HLP referred to request for deferral in relation to Agenda Item 5.11 - LA09/2023/0404/F and advised that this will be considered at that point of the meeting.

Resolved That the planning applications listed above be deferred for an office meeting / further consideration.

Matters for Decision

P069/23 Planning Applications for Determination

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

LA09/2021/0970/F **3G pitch, 12m high flood lighting, 6m high ball stop fencing, additional car parking, and new access onto Cooneen Road at 39 Cooneen Road, Fivemiletown, for Fivemiletown United Football Club**

Members considered previously circulated report on planning application LA09/2021/0970/F which had a recommendation for approval.

Proposed by Councillor McConnell
Seconded by Councillor Varsani and

Resolved That planning application LA09/2021/0970/F be approved subject to conditions as per the officer's report.

LA09/2021/1256/F **Demolition of club house and construction of indoor training pitch; extension to ground floor changing rooms; extension to board room to provide new club house at Far Circular Road, Dungannon, for Dungannon Utd Youth**

Members considered previously circulated report on planning application LA09/2021/1256/F which had a recommendation for approval.

Proposed by Councillor Varsani
Seconded by Councillor Robinson and

Resolved That planning application LA09/2021/1256/F be approved subject to conditions as per the officer's report.

LA09/2022/1363/F **Replacement of Fire Damaged Workshop/Store with a new increased size workshop/store at 31 Coalisland Road, Dungannon, for Mr Kevin Donnelly**

Members considered previously circulated report on planning application LA09/2022/1363/F which had a recommendation for approval.

Proposed by Councillor McFlynn
Seconded by Councillor Martin and

Resolved That planning application LA09/2022/1363/F be approved subject to conditions as per the officer's report.

LA09/2022/1510/F **Cladded steel frame building to cover existing external concrete storage yard and associated site works at 7 Corchoney Road, Cookstown for Meteor Electrical**

Members considered previously circulated report on planning application LA09/2022/1510/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor Martin and

Resolved That planning application LA09/2022/1510/F be approved subject to conditions as per the officer's report.

LA09/2022/1675/F **Change of house type and amended siting from LA09/2018/0051/F (4 dwellings) at Off Mullaghmore, Approx 40m W of 17 Mullagh Road, Maghera for Mr Noel Young**

The Chair, Councillor S McPeake stated he was aware of a number of objections in relation to this application and asked if the privacy concerns have been considered.

Ms McKinless (SPO) presented a report on planning application LA09/2022/1675/F advising that it was recommended for approval advising that privacy concerns have been taken into account.

Councillor McFlynn asked what the original ridge height was.

Ms McKinless advised that there is an increased ridge height of 0.4 metres.

Proposed by Councillor McFlynn
Seconded by Councillor Martin and

Resolved That planning application LA09/2022/1675/F be approved subject to conditions as per the officer's report.

LA09/2023/0053/F **Demolition of existing Hall and Gym buildings to facilitate a new community health and well-being centre and a new covered multipurpose space (4G Pitch) with ancillary accommodation including a new gym and fitness suite; community social spaces; multi- purpose rooms; kitchen/servery and ancillary stores. External works include provision of a new grass pitch (GAA Standards) with floodlighting and ball net stops; a new single storey outbuilding for toilets/ plant and machinery storage; a new terrace hard standing area for spectator viewing; new walking trials and the re-configuration of existing on-site parking with a new vehicular access and associated landscape/ boundary works at 18 Halfgayne Road, Maghera, for Robert Emmets GAC Slaughtneil**

Members considered previously circulated report on planning application LA09/2023/0053/F which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2023/0053/F be approved subject to conditions as per the officer's report.

LA09/2023/0147/O **Site for dwelling and garage at adjacent and N of 11 Tamlaght Road, Kilrea for Mr Terence Birt**

Members considered previously circulated report on planning application LA09/2023/0147/O which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor D McPeake and

Resolved That planning application LA09/2023/0147/O be approved subject to conditions as per the officer's report.

LA09/2023/0247/F **2 agricultural buildings, livestock and machinery storage at 180m NW of 10 Fallylea Lane, Maghera for S Kelly**

Members considered previously circulated report on planning application LA09/2023/0247/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2023/0247/F be approved subject to conditions as per the officer's report.

LA09/2023/0359/O **Infill dwelling and garage at land approx. 190m SE of 2 Lisalbanagh Road, Magherafelt for Mr Richard Brown**

Agreed that application be deferred for consideration of additional information earlier in meeting.

LA09/2023/0373/O **Replacement dwelling at 270m SE of 101 Barnaghs Road, Dungannon for Mr Sean O'Donnell**

Agreed that application be deferred for an office meeting earlier in meeting.

LA09/2023/0404/F **Retention of amended house type (approved under LA09/2020/0459/RM at 72m NW of 21 Whitetown Road, Newmills, Dungannon for Mr David Weir**

The Chair, Councillor S McPeake advised that objections to the application had been sent in as part of the process and that the objector had requested a deferral of the application as he was unable to attend tonight's meeting. The Chair advised that the objector was asked if they had any additional objections to make and that none had been received and that officers are content that all objections have been considered as part of the officer report.

Members considered previously circulated report on planning application LA09/2023/0404/F which had a recommendation for approval.

Proposed by Councillor Robinson
Seconded by Councillor Graham and

Resolved That planning application LA09/2023/0404/F be approved subject to conditions as per the officer's report.

LA09/2023/0487/O **Dwelling and garage adjacent to & SW of 65 Mullybrannon Road, Dungannon for Mr Peter O'Donnell**

Agreed that application be deferred for an office meeting earlier in meeting.

LA09/2023/0488/O **Dwelling and garage adjacent to and NW of 30A Dunseark Road, Dungannon for Mr Peter O'Donnell**

Agreed that application be deferred for an office meeting earlier in meeting.

LA09/2022/0063/O **Replacement dwelling and domestic garage adjacent to 16 Roshure Road, Desertmartin, Magherafelt for Mr Rodney McKnight**

The Head of Local Planning (HLP) presented a report on planning application LA09/2022/0063/O advising that it was 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 stated that when considering a replacement opportunity he would look for two things, that being the physical evidence on the ground and the historical evidence at a location. When looking at the historical evidence Mr Cassidy stated that Griffiths Valuation is a useful source of information. Mr Cassidy advised that within the Griffith archives the site is identified as comprising of a house, offices and land in the tenancy of Samuel Fleming and occupies the same location as 14 Roshure Road as identified on modern aerial photography. The historical evidence demonstrates the presence of a residential building on this site for a least 163 years and directly links the Fleming family to the site for the replacement dwelling. Mr Cassidy stated that the majority of the house survives with roof and walls intact and that gable walls appear to have been rebuilt in the 1960s with a more modern block. The front and rear walls are intact and consist of random rubble stone which would be the material expected on a building of this age. Mr Cassidy stated that the front wall has evidence of two windows and a door and that the door appears to have been widened in the 1960s, the windows are steel framed divided into six panes and appear original. The heads above the windows are timber and show signs of rot, they appear original and are also what you would expect to find in a building of this age that was used for living. The rear window is identical to those at the front and there is a tiled floor internally. The left gable wall has one window and also attached to the left gable is the remains of an outside toilet. Mr Cassidy stated that the site is unseen from the main road and is enclosed by a wall, mature trees and hedgerows. Mr Cassidy stated he believed there was sufficient evidence both on the ground and historically to demonstrate that the building was used a dwelling and therefore meets the policy for replacement. Mr Cassidy stated that a site visit may be beneficial in order for Members to see the site and evidence for themselves.

The HLP advised that Mr Cassidy had sent in photographs as part of his speaking request and that these had been previously circulated to Members. It was advised that further photographs were submitted today and these were being shown on screen for Members.

The Chair, Councillor S McPeake stated that based on what he had seen tonight he did not feel he could make his mind up.

Councillor Cuthbertson asked if any Census records had been submitted.

The Chair referred to the information submitted from the Griffiths Valuation.

The HLP stated that in terms of the application there is a building which has been submitted as a replacement opportunity but highlighted that there is also a new house immediately next door to the site. The HLP questioned if there was any certainty based on the Griffiths Valuation that the dwelling that was listed as being once there has already been replaced with the new dwelling at no.16 Roshure Road. The HLP stated she would be uncertain whether that has happened but stated that if there was one dwelling there and there is still one dwelling it was something Members should consider.

The Chair asked if there would be any records regarding the new dwelling.

The HLP advised there was nothing she could see in the planning history regarding a replacement dwelling.

Councillor Graham stated that if there is a new dwelling that was not applied for as a replacement then the application should stand on its own.

The HLP stated that because of the age of the building there was no report and that as it did not seem to have been described as a replacement she was therefore unsure what consideration had been given to a new dwelling at that time. The HLP stated that she felt the suggestion of a site visit was useful as it is difficult to tell from the photographs whether there was a replacement opportunity.

The Chair agreed that he felt a site visit would be worthwhile.

Proposed by Councillor McFlynn
Seconded by Councillor Black and

Resolved That planning application LA09/2022/0063/O be deferred for a site meeting.

LA09/2022/0283/F Dwelling at 71 Anneeter Road, Coagh, Cookstown for Mr Charles Mallon

Members considered previously circulated report on planning application LA09/2022/0283/F which had a recommendation for approval.

Proposed by Councillor Martin
Seconded by Councillor Graham and

Resolved That planning application LA09/2022/0283/F be approved subject to conditions as per the officer's report.

LA09/2022/0380/F Dwelling and garage between 70B and 72 Gortlenaghan Road, Dungannon for Joe Doherty and Dervla McGonnell-Doherty

Members considered previously circulated report on planning application LA09/2022/0380/F which had a recommendation for approval.

Proposed by Councillor Carney
Seconded by Councillor McElvogue and

Resolved That planning application LA09/2022/0380/F be approved subject to conditions as per the officer's report.

LA09/2022/0381/F Double infill for dwellings and garages at 170m SW of 219 Dungannon Road, Cabragh for Brendan Goan

Members considered previously circulated report on planning application LA09/2022/0381/F which had a recommendation for approval.

Proposed by Councillor McConnell
Seconded by Councillor Varsani and

Resolved That planning application LA09/2022/0381/F be approved subject to conditions as per the officer's report.

LA09/2022/0739/F **Buildings for wood and coco fibre plant, storage bay, chip feed bin, access (insitu) and ancillary site works at lands approx. 7m N of 16 New Ferry Road, Bellaghy for Bulrush Horticultural Ltd**

Members considered previously circulated report on planning application LA09/2022/0739/F which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2022/0739/F be approved subject to conditions as per the officer's report.

LA09/2022/1288/O **Replacement dwelling at 15 Finulagh Road, Castlecaulfield for Ryan McGurk**

Agreed that application be deferred for consideration of additional information earlier in meeting.

LA09/2022/1426/O **Site for dwelling and garage within a cluster at 40m NE of No 178 Battery Road, Moortown for Peter Devlin**

Mr Marrion (SPO) presented a report on planning application LA09/2022/1426/O advising that it was recommended for refusal.

Councillor Cuthbertson left the meeting at 7.25 pm.

The Chair advised the committee that requests to speak on the application had been received and invited Mr Devlin to address the committee in the first instance.

Mr Devlin advised that there are already five properties within 100 metres of the agricultural building at 6 Anneeter Road and there have been no complaints from environmental health that he was aware of. Mr Devlin also referred to planning permission granted for 42 houses and units to the south of 6 Anneeter Road and that a considerable amount of that development is within 100m of the same agricultural building and that no consideration had been given to environmental issues at that time. Mr Devlin also referred to approved planning application LA09/2020/0966/F and stated that the case officer in their report for that application stated that the site layout shows that a significant proportion of the properties in that area are within 100m of a farm and no known complaints were raised by residents. The case officer also stated that the proximity to the farm is not considered a concern. Mr Devlin also referred to letter from owner of piggery and clarified that he owns the property. Mr

Devlin also confirmed that he owns the surrounding land and that there is no right of way through the land.

Councillor Cuthbertson returned to the meeting at 7.28 pm.

Councillor McAleer stated that the rationale for refusal of this application is the proximity to agricultural buildings and that the advice from environmental health that any new buildings should be sited over 100m away. Councillor McAleer felt that there are several considerations which would allow for an exception to be made for this application the first being that there are already four or five residential properties that are within 100m of the agricultural buildings. The Councillor stated that last month there were 26 residential properties approved on the same lane and that a significant number of those properties are within 100m of another working farm and that the case officer for that application stated that there were other single dwellings in close proximity to the application site and there are no known complaints from the existing residents in relation to the agricultural operations and that the proximity of the farm is not a concern. Councillor McAleer stated that several of those proposed houses are closer to that farm than what this application will be to the agricultural buildings at 6 Anneeter Road. Councillor McAleer stated that there was a substantial planning application granted approximately 10-12 years ago for 42 houses and retail units to be sited to the immediate south of those agricultural buildings and a significant proportion of that development would have fallen within 75-100m of the said buildings.

The Chair, Councillor S McPeake stated that when the application originally came before the Committee he had raised the view of the football pitch being a focal point and that at the site meeting this had been agreed. The Chair stated he could see why there is caution whenever the term piggery is used as it is known the issues industrial sized units can give when in close proximity to dwellings but in this case it is not an industrial piggery but rather an old disused building that is not active. The Chair felt officers were potentially being over cautious in relation to this application.

Councillor Mallaghan stated that the site visit was beneficial in terms of seeing the lay of the land compared to the imagery provided. Councillor Mallaghan stated that given the circumstances and from what he had seen on site he did not feel there would be any detrimental impact on the rural aspect of the location and therefore proposed that the application be approved.

Councillor Kerr agreed with the comments made and given the information provided by Mr Devlin tonight he would second Councillor Mallaghan's proposal.

The Chair referred to comment from Mr Devlin that the buildings are in his ownership.

Councillor McFlynn stated she had been to the site visit and confirmed that there are other buildings on the lane and that this application would be a rounding off of what is already there. Councillor McFlynn also referred Mr Devlin's comments that the building is not going to be used for pigs.

Mr Develin advised that the building is going to be knocked down.

Councillor McFlynn stated she was happy to go with the proposal to approve.

The Chair, Councillor S McPeake stated he was aware of other applications which have been approved, with objections, as close as 50-60m proximity to piggeries.

The HLP stated that the application has so far been considered under policy Cty2a and that it is clear from the case officers report that the application does not meet the spirit of this policy. The HLP stated that she wanted to be clear that the Committee are not treating the application as an exception to policy Cty2a and highlighted that as a lot of development in the cluster is within the settlement limit of Moortown the focal point therefore cannot be relied upon. The HLP asked if the Committee are content that the application will be rounding off.

The Chair, Councillor S McPeake stated he did not feel that the application would change the character of the area.

The HLP referred to conditions and that these be delegated.

Mr Marrion (SPO) stated that conditions should be in relation to access, landscaping and siting. Mr Marrion stated that Mr Devlin has told the committee tonight that he owns the surrounding land to the site however there has been nothing submitted to support this. Mr Marrion stated that the application is not considered a dwelling on a farm but rather rounding off of development. In terms of design Mr Marrion stated that this can be assessed at reserved matters stage.

The Council Solicitor asked if the application would need to be assessed under a new heading.

Mr Marrion stated that siting design and appearance could be reserved and that this could be considered at the next stage when submitted.

Resolved That planning application LA09/2022/1426/O be approved as a rounding off of existing development. Wording of conditions of approval to be delegated.

LA09/2022/1571/F Dwelling on farm with detached domestic garage at site 150m NW of 10 Fallylea Lane, Maghera for S Kelly

Members considered previously circulated report on planning application LA09/2022/1571/F which had a recommendation for approval.

Proposed by Councillor Clarke
Seconded by Councillor McConnell and

Resolved That planning application LA09/2022/1571/F be approved subject to conditions as per the officer's report.

LA09/2023/0317/F

Infill dwelling and garage at 15m NW of 259 Hillhead Road, Knockcloghrim for Albert Speer

Members considered previously circulated report on planning application LA09/2023/0317/F which had a recommendation for approval.

Proposed by Councillor D McPeake
Seconded by Councillor McFlynn and

Resolved That planning application LA09/2023/0317/F be approved subject to conditions as per the officer's report.

The Council Solicitor referred back to agenda item 5.11 - LA09/2023/0404/F and that the objector had asked for a deferral based on the fact that he is out of the country tonight. The Council Solicitor stated that she wanted to bring this to the Committee's attention and asked if the Committee wanted to consider deferring the application on that basis.

The HLP advised she had been in contact with the objector on Friday and advised that it would be at the discretion of the Chair and Committee whether the deferral would be granted. The HLP stated that she had asked the objector if he wanted anyone to speak on his behalf and that he had said he didn't. The HLP also advised the objector that if he had anything else he wanted the Committee to consider then this could be circulated as part of the addendum but that nothing further has been received. The HLP advised that she was content that everything received from the objector to date has been considered as part of the officer report.

The Chair, Councillor S McPeake stated there appeared to be nothing new to learn in relation to the application.

Councillor Mallaghan stated he was content that the objections received have been considered within the officer report.

Members were in agreement with the earlier proposal to approve the application.

P070/23 Receive Report on Review of the Planning (Development Management) Regulations (NI) 2015 – Initial Stakeholder Engagement

The Head of Strategic Planning (HSP) presented previously circulated report which outlined Council response to an initial stakeholder engagement exercise relating to current Regulations governing how 'Major' planning applications are defined.

Proposed by Councillor S McPeake
Seconded by Councillor Carney and

Resolved That the content of report as previously circulated be submitted as the formal response to the consultation.

Matters for Information

P071/23 Minutes of Planning Committee held on 12 June 2023

Members noted minutes of Planning Committee held on 12 June 2023.

The Chair, Councillor S McPeake referred to discussion at last month's meeting regarding timing of future Planning Committee meetings and survey of Members that was since undertaken on preferred time. The Chair advised that the outcome of the survey preferred a 5pm start going forward.

Councillor Cuthbertson advised that he had responded to the survey with a preferred start time of 7pm. The Councillor stated that there have been a lot of discussions in the past regarding timing of meetings and asked if the Planning Committee can change the time of its meeting or would this have to go to P&R Committee. Councillor Cuthbertson stated he welcomed the Planning meeting being held in Dungannon tonight and that going forward this Committee should also be rotated around the sites similar to other committees. The Councillor stated that if the meeting did start at 5pm party groupings usually meet beforehand and some Members could be leaving their house from 3.30 pm. Councillor Cuthbertson stated that even with a 5pm start the meeting could still go on to 8 or 9pm without a break for an evening meal, the Councillor stated that the earlier start time would affect families and that people would not see their children in the evening time. Councillor Cuthbertson asked for a bit more reasoning and referred to a previous decision to change the time of meetings because of family issues and to help family life but that he did not believe a decision to change the time to 5pm would help with this.

The Chair, Councillor S McPeake stated the survey was carried out due to the previous discussions and pointed out that a number of other Councils hold their Planning Committee meetings during the day. The Chair referred to the impact on staff and that their family life also needs to be considered. The Chair stated that there had been discussion at last month's meeting and a vote has since been undertaken and that the view of the Planning Committee is that the start time of this Committee should change to 5pm and that this democratic wish should be moved forward.

Councillor Cuthbertson stated that he was not present at last month's Planning Committee so he was not aware of discussions at that meeting but that Members were presented with three options in the survey of 5, 6 or 7pm. The Councillor referred to comment of other Councils holding their meetings during the day and questioned why other options were not offered in the survey such as during office hours.

The Chair, Councillor S McPeake advised that the times presented in the survey were the times discussed at last month's planning meeting.

Proposed by Councillor S McPeake
Seconded by Councillor Mallaghan and

Resolved To progress the decision of the Planning Committee to have a start time of 5pm for its Committee meetings going forward.

Councillor Black stated he had some reservations regarding the 5pm start both for those on the Planning Committee who work and also for the public who wish to attend. Councillor Black stated the appreciated the democratic vote and the will of the Committee to have a 5pm start but that officers should check if this needs to go to P&R Committee to be formalised to ensure that the Committee is on solid ground in terms of its decision.

Live broadcast ended at 7.56 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Kerr
Seconded by Councillor McConnell 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 P072/23 to P077/23.

Matters for Decision

P072/23 Receive report on MUDC Response to DfI's request for clarification on Draft Plan Strategy Submission
P073/23 Receive Legal Advice regarding ongoing challenges
P074/23 Receive Enforcement Report

Matters for Information

P075/23 Confidential Minutes of Planning Committee held on 12 June 2023
P076/23 Enforcement Cases Opened
P077/23 Enforcement Cases Closed

P078/23 Duration of Meeting

The meeting was called for 7 pm and concluded at 8.25 pm.

Chair _____

Date _____

Annex A – Introductory Remarks from the Chairperson

Good evening and welcome to the meeting of Mid Ulster District Council's Planning Committee in the Chamber, Magherafelt and virtually.

I specifically welcome the public watching us through the Live Broadcast feed. The Live Broadcast will run for the period of our Open Business but will end just before we move into Confidential Business. I will let you know before this happens.

Just some housekeeping before we commence. Can I remind you:-

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
- Keep your video on at all times, unless you have bandwidth or internet connection issues, where you are advised to try turning your video off
- If you wish to speak please raise your hand in the meeting or on screen and keep raised until observed by an Officer or myself
- Should we need to take a vote this evening, I will ask each member to confirm whether you are for or against the proposal or abstaining from voting
- For members attending remotely, note that by voting on any application, you are confirming that you were in attendance for the duration of, and that you heard and saw all relevant information in connection with the application you vote on
- When invited to speak please introduce yourself by name to the meeting. When finished please put your audio to mute
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- An Addendum was emailed to all Committee Members at 5pm today. There is also a hard copy on each desk in the Chamber. Can all members attending remotely please confirm that they received the Addendum and that have had sufficient time to review it?
- If referring to a specific report please reference the report, page or slide being referred to so everyone has a clear understanding
- For members of the public that are exercising a right to speak by remote means, please ensure that you are able to hear and be heard by councillors, officers and any others requesting speaking rights on the particular application. If this isn't the case you must advise the Chair immediately. Please note that once your application has been decided, you will be removed from the meeting. If you wish to view the rest of the meeting, please join the live link.
- Can I remind the public and press that taking photographs of proceedings or the use of any other means to enable persons not present to see or hear any

proceedings (whether now or later), or making a contemporaneous oral report of any of the proceedings are all prohibited acts.

Thank you and we will now move to the first item on the agenda - apologies and then roll call of all other Members in attendance.