

**Minutes of Meeting of Planning Committee of Mid Ulster District Council held on Tuesday 3 December 2024 in Council Offices, Ballyronan Road, Magherafelt and by Virtual Means**

**Members Present**

Councillor Robinson, Chair

Councillors Bell, Black, Carney\*, Clarke, Cuthbertson, Graham\*, Kerr, Martin (6.05 pm), McElvogue, McFlynn, D McPeake, S McPeake, Mullin\*, Varsani\*

**Officers in Attendance**

Mr Bowman, Head of Strategic Planning (HSP)  
Ms Donnelly, Council Solicitor  
Ms Doyle, Head of Local Planning (HLP)  
Mr Marrison, Senior Planning Officer (SPO)  
Ms McKinless, Senior Planning Officer (SPO)  
Miss Thompson, Committee and Member Services Officer

**Others in Attendance**

LA09/2020/1387/O Mr Cassidy

\* Denotes Members present in remote attendance

\*\* Denotes Officers present by remote means

\*\*\* Denotes Others present by remote means

The meeting commenced at 6.00 pm

*The Chair, Councillor Robinson welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor Robinson in introducing the meeting detailed the operational arrangements for transacting the business of the committee in the Chamber and by virtual means, by referring to Annex A to this minute.*

**P149/24 Notice of Recording**

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

**P150/24 Apologies**

Councillor J Buchanan.

**P151/24 Declarations of Interest**

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

## **P152/24      Chair's Business**

The Head of Local Planning (HLP) referred to the below applications which were on the agenda for determination and sought approval to have the following applications withdrawn / deferred from tonight's meeting schedule for the following reasons -

Agenda Item 5.1 – LA09/2020/1409/F - Retrospective change of use from work shop to veterinary surgeons office, with proposed alterations at 57B Station Road, Clogher for Farm Vet Services – Withdraw from schedule to consult with Roads Service.

Agenda Item 5.2 - LA09/2021/0008/LBC - Retrospective change of use from work shop to veterinary surgeons office, with proposed alterations at 57B Station Road, Clogher for Farm Vet Services – Withdraw from schedule to consult with Roads Service.

Agenda Item 5.3 – LA09/2023/0382/F - Extension to existing yard for the storage of materials associated with existing business at 45 Cravenny Road, Ballygawley for Acrow Formwork – Defer for office meeting.

Agenda Item 5.10 - LA09/2024/0393/F - 2 glamping pods with 4 parking spaces, new access track and associated planting at 62m and 75m NE of 33 Dunnabraggy Road, Moneymore for Mrs Ruth Ruddell – Application withdrawn from system.

Agenda Item 5.15 – LA09/2024/0839/F - Sunroom extension to rear of dwelling at 40 Roxborough Manor, Moy for Mark Gribben – Defer for office meeting.

Agenda Item 5.16 – LA09/2024/0862/F - Retention of domestic garage/work area and first floor apartment over at 3C Northland Place, Dungannon for Mr Namik Saygi – Defer for office meeting.

Agenda Item 5.17 – LA09/2024/0894/O - 2 dwellings as part of an existing ribbon at lands between 23, 21A and 21 Cloane Road, Draperstown for Mr Sean McKenna – Defer for office meeting.

Agenda Item 5.18 – LA09/2024/0994/O - Dwelling and Garage (Revised Land Ownership Certificate) at land adjacent to and NW of 52 Kilycolpy Road, Ardboe for Mr Ryan Quinn – Defer for office meeting.

Agenda Item 5.22 – LA09/2024/1011/O - Dwelling and garage on a farm at 10m E of 39 Tullycullion Road, Dungannon for Ms Una Corrigan – Defer for office meeting.

Agenda Item 5.23 – LA09/2024/1012/O - Dwelling and garage adjacent to 105 Drummurrer Lane, Drummurrer, Coalisland for Mr Ferghal O' Donnell – Defer for office meeting.

Agenda Item 5.24 – LA09/2024/1084/O - Dwelling on a farm at 250m E of 16 Gortnaglogh Road, Stewartstown for Mr Alan Kee – Defer for office meeting.

Agenda Item 5.25 – LA09/2024/1104/O - Dwelling & domestic garage (dwelling in existing cluster) immediately N and adj to 13 Tullyglush Road, Ballygawley for Stephen Canavan – Defer for office meeting.

Agenda Item 6.1 – LA09/2020/0992/O Dwelling and domestic garage at site 150m W of 115 Clonavaddy Road, Aghnagar, Cappagh, Dungannon for Plunkett Nugent – Withdraw to consider additional information submitted.

Agenda Item 6.4 - LA09/2022/0230/O Site for dwelling and garage at lands approx. 30m SE of 99 Mullaghboy Road, Bellaghy for Mr Hugh Glackin – Withdraw from schedule to consider challenge to P2 Certificate.

Proposed by Councillor Bell  
Seconded by Councillor Kerr and

**Resolved** That the planning applications listed above be withdrawn / deferred for the reasons outlined above.

## **Matters for Decision**

### **P153/24 Planning Applications for Determination**

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

#### **LA09/2020/1409/F Retrospective change of use from work shop to veterinary surgeons office, with proposed alterations at 57B Station Road, Clogher for Farm Vet Services**

Agreed that application be withdrawn from schedule to consult with Roads Service earlier in meeting.

#### **LA09/2021/0008/LBC Retrospective change of use from work shop to veterinary surgeons office, with proposed alterations at 57B Station Road, Clogher for Farm Vet Services**

Agreed that application be withdrawn from schedule to consult with Roads Service earlier in meeting.

#### **LA09/2023/0382/F Extension to existing yard for the storage of materials associated with existing business at 45 Craveny Road, Ballygawley for Acrow Formwork**

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

#### **LA09/2023/0766/F Variation of condition 9 LA09/2021/0185/O (demolition of existing dwelling) at SE of 31A Corvanaghan Road, Cookstown for Mr Oliver McKenna**

Members considered previously circulated report on planning application LA09/2023/0766/F which had a recommendation for approval.

Proposed by Councillor Mullin  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2023/0766/F be approved subject to conditions as per the officer's report.

*Councillor Martin entered the meeting at 6.05 pm*

**LA09/2023/1364/O Dwelling on a farm at lands 30m NW of 182 Gulladuff Road, Bellaghy for Mr Hugh Graham**

Ms McKinless (SPO) presented a report on planning application LA09/2023/1364/O advising that it was recommended for refusal. The officer recommended that the application be refused under policy Cty1, Cty10 part B, Cty8 and Cty14 of PPS21.

Councillor McFlynn stated there are a number of issues related to this application and proposed the officer recommendation.

Councillor S McPeake seconded Councillor McFlynn's proposal.

**Resolved** That planning application LA09/2023/1364/O be refused under policy Cty1, Cty10 part B, Cty8 and Cty14 of PPS21.

**LA09/2024/0032/F Dog boarding kennels at 16 Lisbeg Road, Ballygawley for Mr Paul Adamson**

Members considered previously circulated report on planning application LA09/2024/0032/F which had a recommendation for approval.

Proposed by Councillor Cuthbertson  
Seconded by Councillor McElvogue and

**Resolved** That planning application LA09/2024/0032/F be approved subject to conditions as per the officer's report.

**LA09/2024/0049/F Retention of extension of agricultural yard and associated development including; hardstanding yard area with a landscaped bund along northern boundary; and partially open sided building to provide a livestock shelter and associated works (retrospective) at lands at and immediately W of 101 Dungannon Road, Cookstown for Mr Niall Bell**

Ms McKinless (SPO) presented a report on planning application LA09/2024/0049/F advising that it was recommended for refusal. The officer recommended that should Members decide to refuse the application tonight that the refusal reason be amended to Cty12 – There is no established farm business associated with the application.

Councillor Bell advised that he had been contacted in relation to a breakdown of communication between the agent and the applicant. The Councillor stated that he had been advised that the agent has been on holiday for a substantial time and proposed that the application be deferred for one month in order to resolve the outstanding issues.

Councillor Kerr seconded Councillor Bell's proposal.

Councillor McFlynn asked if the application will be brought back to Committee after one month.

The HLP advised that the application would be brought back to Committee again after one month for Members consideration.

Councillor Bell amended his proposal and requested that the application be deferred for an office meeting instead of deferred for one month.

Councillor Kerr seconded Councillor Bell's proposal.

**Resolved** That planning application LA09/2024/0049/F be deferred for an office meeting.

**LA09/2024/0084/O Dwelling and domestic garage at site 100m N of 20B  
Bockets Road, Ballygawley for Mr Owen Trainor**

Mr Marrion (SPO) presented a report on planning application LA09/2024/0084/O advising that it was recommended for refusal.

Proposed by Councillor Cuthbertson  
Seconded by Councillor McFlynn and

**Resolved** That planning application LA09/2024/0084/O be refused on grounds stated in the officer's report.

**LA09/2024/0211/F Change of use from domestic garage, general domestic  
garden and tool store to garage for carrying out general  
mechanical repairs to cars and van at 15B AnnaghnaBoe  
Road, Meenagh, Coalisland for Mr Ryan O'Neill**

Mr Marrion (SPO) presented a report on planning application LA09/2024/0211/F advising that it was recommended for refusal.

Councillor Carney proposed that the application be deferred for an office meeting.

Councillor Bell seconded Councillor Carney's proposal.

**Resolved** That planning application LA09/2024/0211/F be deferred for an office meeting.

**LA09/2024/0393/F 2 glamping pods with 4 parking spaces, new access track  
and associated planting at 62m and 75m NE of 33  
Dunnabraggy Road, Moneymore for Mrs Ruth Ruddell**

Application withdrawn from system.

**LA09/2024/0479/F Residential development for 22 dwellings (14 semi-detached and 8 maisonettes). Includes landscaping, car parking and all associated site and access works (amendment to LA09/2021/1330/F) at 3 Mullagh Lane, Maghera for JFM Construction Ltd**

Members considered previously circulated report on planning application LA09/2024/0479/F which had a recommendation for approval.

Proposed by Councillor S McPeake  
Seconded by Councillor D McPeake and

**Resolved** That planning application LA09/2024/0479/F be approved subject to conditions as per the officer's report.

**LA09/2024/0560/F Change of use from former beauty salon to office accommodation (Class A2 Professional Services) at 18 Church Street, and reconfiguration, refurbishment and alterations to premises at 16 and part of 18 Church Street at 16-18 Church Street, Dungannon for Mr Jonathan Ruddell**

Members considered previously circulated report on planning application LA09/2024/0560/F which had a recommendation for approval.

Proposed by Councillor Cuthbertson  
Seconded by Councillor McFlynn and

**Resolved** That planning application LA09/2024/0560/F be approved subject to conditions as per the officer's report.

**LA09/2024/0666/O Dwelling, detached garage and new access laneway onto Gorteade Road at 30m NE of 41 Gorteade Road, Upperlands, Maghera for Cathy Alexander**

Ms McKinless (SPO) presented a report on planning application LA09/2024/0666/O advising that it was recommended for refusal.

Councillor S McPeake asked if the application was explored under policy Cty10.

Ms McKinless advised that no farm case was put forward. The officer stated that the officer did speak to the agent in relation to the assessment of the application and that the agent advised that they wanted the application put forward as submitted.

Proposed by Councillor S McPeake  
Seconded by Councillor Kerr and

**Resolved** That planning application LA09/2024/0666/O be refused on grounds stated in the officer's report.

**LA09/2024/0698/O Infill dwelling and garage at land adjacent to and immediately W of 41 Cavan Road, Dungannon for Mr Ian Montgomery**

Councillor Cuthbertson stated he had received a phonecall from the applicant who requested that the application be deferred to consider a new access or clustering.

The HLP advised that the application would not be considered as an infill moving forward because existing development is on the wrong side of the lane and does not bookend on the frontage. The HLP advised that clustering could be considered and asked if there is a focal point nearby or if the applicant had provided any more information in relation to this.

Councillor Cuthbertson stated that there are currently five houses on the lane but that discussions would be best held between the applicant and agent. Councillor Cuthbertson proposed that the application be deferred for an office meeting.

Councillor McFlynn seconded Councillor Cuthbertson's proposal.

**Resolved** That planning application LA09/2024/0698/O be deferred for an office meeting.

**LA09/2024/0839/F Sunroom extension to rear of dwelling at 40 Roxborough Manor, Moy for Mark Gribben**

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

**LA09/2024/0862/F Retention of domestic garage/work area and first floor apartment over at 3C Northland Place, Dungannon for Mr Namik Saygi**

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

**LA09/2024/0894/O 2 dwellings as part of an existing ribbon at lands between 23, 21A and 21 Cloane Road, Draperstown for Mr Sean McKenna**

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

**LA09/2024/0994/O Dwelling and Garage (Revised Land Ownership Certificate) at land adjacent to and NW of 52 Kilycolpy Road, Ardboe for Mr Ryan Quinn**

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

**LA09/2024/1000/F 5m x 22.5m concrete ball wall with 2.4m high paladin fencing above. 3G surface of pitch to be extended into new ball wall area at Holy Trinity College, 9-29 Chapel Street, Cookstown for St Patrick's Educational Trust**

Members considered previously circulated report on planning application LA09/2024/1000/F which had a recommendation for approval.

Proposed by Councillor Martin  
Seconded by Councillor Kerr and

**Resolved** That planning application LA09/2024/1000/F be approved subject to conditions as per the officer's report.

**LA09/2024/1005/F Alterations to shared lane and existing access to form new access at land 50m NE of 97 Coash Road, Ballynakilly, Dungannon for Mr and Mrs Simon Nixon**

Members considered previously circulated report on planning application LA09/2024/1005/F which had a recommendation for approval.

Proposed by Councillor McFlynn  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2024/1005/F be approved subject to conditions as per the officer's report.

**LA09/2024/1008/O 2 dwellings and garages at approx. 140m SW of 39 Castle Road, Cookstown for Mrs Vicky Boyd**

Ms McKinless (SPO) presented a report on planning application LA09/2024/1008/O advising that it was recommended for refusal.

Councillor McFlynn stated that given the ongoing work in relation to the Cookstown Bypass she would propose the recommendation to refuse the application.

Councillor Martin seconded Councillor McFlynn's proposal.

**Resolved** That planning application LA09/2024/1008/O be refused on grounds stated in the officer's report.

**LA09/2024/1011/O Dwelling and garage on a farm at 10m E of 39 Tullycullion Road, Dungannon for Ms Una Corrigan**

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

**LA09/2024/1012/O Dwelling and garage adjacent to 105 Drummurrer Lane, Drummurrer, Coalisland for Mr Ferghal O' Donnell**

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



**LA09/2024/1084/O Dwelling on a farm at 250m E of 16 Gortnaglogh Road, Stewartstown for Mr Alan Kee**

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

**LA09/2024/1104/O Dwelling & domestic garage (dwelling in existing cluster) immediately N and adj to 13 Tullyglush Road, Ballygawley for Stephen Canavan**

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

**LA09/2024/1327/A The festive greeting 'Merry Christmas' displayed in English, Irish and Ulster Scots by a light projector onto the facade of the Burnavon Arts and Cultural Centre in Cookstown at set intervals. A 4th image of a general winter scene will be displayed to complete the 4-image cycle. The projections will only be displayed during the hours when the street lighting will be on which is approximately from 15:45 until 08:30 the following morning at 7 Burn Road, Cookstown for Mid Ulster District Council**

**LA09/2024/1329/A The festive greeting 'Merry Christmas' is displayed in English, Irish and Ulster Scots by a light projector onto the facade of the Cornmill Building at set intervals. A 4th image of a general winter scene will be displayed to complete the 4-image cycle. The projections will only be displayed during the hours when the street lighting will be on which is approximately from 15:45 until 08:30 the following morning at Cornmill Heritage Centre, Lineside, Coalisland for Mid Ulster District Council**

**LA09/2024/1330/A The festive greeting 'Merry Christmas' is displayed in English, Irish and Ulster Scots by a light projector onto the facade of the Ranfurly House Arts and Visitor Centre at set intervals. A 4th image of a general winter scene will be displayed to complete the 4- image cycle. The projections will only be displayed during the hours when the street lighting will be on which is approximately from 15:45 until 08:30 the following morning at 26 Market Square, Dungannon for Mid Ulster District Council**

**LA09/2024/1331/A The festive greeting 'Merry Christmas' is displayed in English, Irish and Ulster Scots by a light projector onto the facade of the Bridewell centre at set intervals. A 4th image of a general winter scene will be displayed to complete the 4-image cycle. The projections will only be displayed during the hours when the street lighting will be on which is approximately from 15:45 until 08:30 the following morning at 6 Church Street, Magherafelt for Mid Ulster District Council**

*Councillors Bell, Black, Carney, Clarke, Cuthbertson, Graham, Kerr, Martin, McElvogue, McFlynn, D McPeake, S McPeake, Mullin, Robinson and Varsani declared an interest in these applications.*

Members considered previously circulated reports on planning applications LA09/2024/1327/A, LA09/2024/1329/A, LA09/2024/1330/A, LA09/2024/1331/A which all had a recommendation for approval.

Councillor Cuthbertson stated that when he looked at these applications on the planning portal he saw that they had been submitted on 7 November and validated on 8 November, consultations on the applications went out on 13 November and were responded to by Dfl and HED if required on 14 November. The Councillor stated that the officer reports were then prepared and that the applications were placed on the agenda last week for consideration tonight, a turnaround of 3 ½ weeks. Councillor Cuthbertson stated he was shocked to see the timeline of these applications as there are other applications which have been in the system for months or years because officers cannot get a response from Dfl or HED. The Councillor stated that if there is a contact for Dfl or HED which can provide a quick turnaround then he questioned why it is not being used for applications such renovating a derelict building in a town centre which could help to create more jobs. Councillor Cuthbertson felt it is sending out the wrong message that applications can be turned around quickly for the Council but that it cannot be done for other applications.

The Chair, Councillor Robinson stated that Councillor Cuthbertson's comments were noted and asked if a quick turnaround is common for these type of applications.

Councillor S McPeake proposed the recommendations for the applications and stated that he wished to disassociate himself from Councillor Cuthbertson's negative comments in relation to turnaround of the applications. The Councillor stated he was bewildered by the negativity shown and questioned whether this was because Irish Language is mentioned in the title of the applications. Councillor S McPeake commended the officers for bringing forward the applications in a timely way.

Councillor Kerr seconded Councillor S McPeake's proposal.

Councillor Cuthbertson stated that every Councillor has frustrations with the lack of response from Dfl and HED on applications and highlighted that the turnaround of response for these applications was one day. The Councillor questioned how these applications were responded to so quickly and not others which could help to bring employment to the area and stated that he felt the situation was ridiculous.

The HLP stated she took exception to the situation being ridiculous and highlighted that these are straightforward applications for advertisement consents and can be turned around quickly because they don't have to be advertised in press. The HLP advised that the only reason the applications are before Members tonight is because they are Council applications otherwise they could have been approved under the delegated scheme.

The Chair, Councillor Robinson stated that Councillor Cuthbertson's comments were taken on board and that whilst he noted these were straightforward applications, the wider public may take this as a signal that things can be turned around quickly.

**Resolved** That planning applications LA09/2024/1327/A, LA09/2024/1329/A, LA09/2024/1330/A and LA09/2024/1331/A be approved subject to conditions as per the officer's reports.

**LA09/2020/0992/O Dwelling and domestic garage at site 150m W of 115 Clonavaddy Road, Aghnagar, Cappagh, Dungannon for Plunkett Nugent**

Agreed that application be deferred to consider additional information submitted.

**LA09/2020/1387/O Dwelling and domestic garage (revised access) at site 40m E of 26 Washingbay Road, Coalisland for Mr Declan McClure**

Mr Marrion (SPO) presented a report on planning application LA09/2020/1387/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 the application site is within the settlement limits of Coalisland and that the previous approval on this site was granted in August 2020. In relation to the 2020 application Mr Cassidy advised that Roads Service stated that the sight lines were in place and that the access was safe, the only problem that occurred with that application was that that application would be for the sixth house on that lane and that Roads Service stated that when there is more than six houses then standards have to be upgraded as per the Creating Places document. Mr Cassidy highlighted that the Creating Places document is advisory and not mandatory. Mr Cassidy referred to the officer report for the previously approved application in which they considered Dfl's advice however they felt that as the lane already serves over 5 dwellings it would be unfair to ask the current applicant to put upgraded infrastructure in place. The officer report stated that Dfl have advised that if the access is utilised correctly then the visibility splays are in place, and therefore it is reasonable to approve this application. The report also indicated that there is limited opportunity for further housing to be accessed off this lane. Mr Cassidy stated that the solution proposed by Dfl was to make a new lane from the site through an area which is outside of development limits and is within a flood plain. Mr Cassidy stated that the conclusion is that the existing access is safe and the sight lines are in place which is confirmed by Dfl. Mr Cassidy stated that there is also limited opportunity for further housing on the lane.

Councillor Kerr referred to the officer report and The Mills housing development as being a reason for refusal and advised that Dfl intend to carry out works in this area and adopt this housing development going forward therefore he felt this should be struck off as a reason for refusal. The Councillor stated that there are other houses on the laneway and felt it is unfair for this applicant to have to carry out works to upgrade the access. Councillor Kerr proposed that the application be approved.

Councillor Carney stated she was aware of the site and that the applicant has several members of his family currently living along the lane and it would be disappointing if the application could not be approved because of access. The Councillor stated that the proposed new access would concern her as it is on a flood plain as could be seen from recent bad weather. Councillor Carney agreed that it is unfair that the applicant has to put in the infrastructure given that the access is adequate for current homes on the lane and there is little opportunity for further development. Councillor Carney seconded Councillor Kerr's proposal.

The HLP referred to the claimed unfairness of the applicant having to make upgrades to the access and stated that if there is so much development in an area then upgrades are required and it may be unfortunate that it falls to one person to provide this. The HLP stated that taking a decision based on something being unfair is not a basis to approve the application and the fact that if there are road safety concerns and Members have not visited the site then these are points to consider before overturning the application to approve.

Councillor S McPeake stated that it is unfortunate that DfI are making the applicant go through a flood plain to create a new access and felt this is unfair if the Creating Places documents is only advisory and not policy. The Councillor stated he would be sympathetic to allowing the application if the existing access is deemed safe.

Councillor Kerr stated he is very familiar with the area and that his home house is close by. The Councillor stated that he felt, in this case, that Roads Service have been overly enthusiastic about road safety concerns and that when DfI adopt The Mills housing development it will make this stretch of road a lot safer.

Mr Marrion stated that the Creating Places document is not a reason for refusal but it is instead DCAN15 which sets out the standards for a safe and satisfactory access. Mr Marrion stated that the applicant is not being asked to upgrade the whole lane but rather the access where it meets the public road. Mr Marrion stated that the issues relate to sight lines at the point of exiting the lane onto the road and that the improvements needed would be to make the access come out square onto the road.

The HLP stated that if the application is approved then a roads condition cannot be put on because it cannot be achieved and Members are deeming that acceptable.

Councillor Bell referred to the other houses on the lane and asked when the last house was passed.

Mr Marrion advised that the most recent approval was in 2020.

Councillor Bell then questioned what has changed since 2020.

The Chair, Councillor Robinson stated it may be worth Members taking a site visit in relation to this application before taking a decision.

Councillor McFlynn stated that if the application is approved then officers are advising that a condition cannot be put on with regards to roads and yet there is a recommendation from DfI in relation to roads. The Councillor asked for the opinion of the Council Solicitor on this.

The Council Solicitor stated that Dfl have recommended that access is unsafe in their view and that the only condition that could be put on would be in relation to road widening and questioned whether this is something the applicant would be prepared to do as otherwise a condition would be put on that can't be fulfilled or acted upon.

*Councillor Cuthbertson left the meeting at 7.02 pm*

Councillor McFlynn asked if the application can be approved without putting a condition on.

The HLP stated that the application can be approved but that in doing so Members would be accepting that they are going against Roads Service recommendation.

Councillor Kerr stated that the laneway comes out onto the road within the 30mph limit and that there are several sections of traffic calming on both sides of this road in the area. The Councillor stated that there is also precedent of the Committee going against Roads Service advice.

Councillor S McPeake stated he would be reluctant to go against Roads Service recommendation as it could potentially come back on the Committee and that he would not be against undertaking a site visit so Members could get a better understanding of the area. Further to this, the Councillor stated that the applicant could do some work ie. Roads surveys etc to demonstrate their case.

Councillor Clarke stated he would agree with Councillor S McPeake in that a site visit should be organised. The Councillor commented that the junction in the application looks very similar to another road junction he uses several times a day and posed the question if Roads Service are going to improve their junctions.

The Council Solicitor stated that given there are no other reasons for refusal and that if Members are minded to approve the application for the reasons outlined then she would suggest that Members undertake a site visit before taking the decision so that everyone can assess for themselves the Dfl recommendation.

Proposed by Councillor S McPeake  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2020/1387/O be deferred for a site visit.

**LA09/2020/1533/F Retention of steel framed building with cladded roof for storage for the public house (amended proposal) at 9-10 The Square, Moy for Mr Barry McNeice**

Members considered previously circulated report on planning application LA09/2020/1533/F which had a recommendation for approval.

Proposed by Councillor McElvogue  
Seconded by Councillor Kerr and

**Resolved** That planning application LA09/2020/1533/F be approved subject to conditions as per the officer's report.

**LA09/2022/0230/O Site for dwelling and garage at lands approx. 30m SE of 99 Mullaghboy Road, Bellaghy for Mr Hugh Glackin**

Agreed that application be withdrawn from schedule to consider challenge to P2 Certificate.

**LA09/2023/0340/F Dwelling and garage at lands approx. 40m S of 117 Cavanakeeran Road, Pomeroy for Ms Kate McAleer**

Members considered previously circulated report on planning application LA09/2023/0340/F which had a recommendation for approval.

Proposed by Councillor McElvogue  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2023/0340/F be approved subject to conditions as per the officer's report.

**LA09/2023/0659/O Infill site for dwelling and garage at lands approx. 50m N of 152 Moneymore Road, Magherafelt for Mrs Dorothy Bradley**

Members considered previously circulated report on planning application LA09/2023/0659/O which had a recommendation for approval.

Proposed by Councillor McFlynn  
Seconded by Councillor S McPeake and

**Resolved** That planning application LA09/2023/0659/O be approved subject to conditions as per the officer's report.

**LA09/2023/0752/F Variation of Condition 2 (sight lines) of LA09/2020/0318/RM domestic bungalow with domestic garage at 63B Anneeter Road, Coagh for Mr Oliver Conlon**

Members considered previously circulated report on planning application LA09/2023/0752/F which had a recommendation for approval.

Proposed by Councillor McFlynn  
Seconded by Councillor Bell and

**Resolved** That planning application LA09/2023/0752/F be approved subject to conditions as per the officer's report.

**LA09/2023/1279/F Extension to curtilage to provide garden space and domestic storage shed at 96 Mullan Road, Coagh for Mr Terence Maynes**

Members considered previously circulated report on planning application LA09/2023/1279/F which had a recommendation for approval.

Proposed by Councillor McFlynn  
Seconded by Councillor Clarke and

**Resolved** That planning application LA09/2023/1279/F be approved subject to conditions as per the officer's report.

**LA09/2023/1286/F Extension and alterations to dwelling at 22 Ballynagowan Road, Stewartstown for Mr and Mrs Enda and Nuala Devlin**

Members considered previously circulated report on planning application LA09/2023/1286/F which had a recommendation for approval.

Proposed by Councillor Varsani  
Seconded by Councillor Kerr and

**Resolved** That planning application LA09/2023/1286/F be approved subject to conditions as per the officer's report.

**LA09/2024/0536/O Site for a dwelling and domestic garage (Cluster) at 30m N of Sessiagh Lodge, 80 Annaghone Road, Stewartstown for Mr James Wilkinson**

Members considered previously circulated report on planning application LA09/2024/0536/O which had a recommendation for approval.

Proposed by Councillor McFlynn  
Seconded by Councillor Kerr and

**Resolved** That planning application LA09/2024/0536/O be approved subject to conditions as per the officer's report.

**P154/24 Receive Report on Planning Validation Checklists**

The Head of Local Planning (HLP) presented previously circulated report which considered letter received from a Director in Department for Infrastructure (DfI) advising of a new Statutory Rule entitled "The Planning (General Development Procedure) (Amendment) Order (NI) 2024 and the powers therein for Council to consider adopting.

Councillor S McPeake stated this is a good idea which is long overdue and will help to streamline the process. The Councillor stated he would like to have a greater understanding and that a workshop would be beneficial.

Councillor Clarke seconded Councillor S McPeake's proposal.

**Resolved** That it be recommended to Council to agree to a public consultation exercise in relation to a proposed validation checklist and that a workshop be organised for Members.

## **Matters for Information**

### **P155/24 Minutes of Planning Committee held on 5 November 2024**

Proposed by Councillor Clarke  
Seconded by Councillor S McPeake and

**Resolved** To note previously circulated minutes of Planning Committee held on 5 November 2024.

### **P156/24 Receive Report on Number of Older Applications**

Members noted presented previously circulated report which provided details on the number of 'older' applications still being considered in the Planning Department.

*Live broadcast ended at 7.17 pm.*

## **Local Government (NI) Act 2014 – Confidential Business**

**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 P157/24 to P160/24.

### **Matters for Information**

P157/24 Confidential Minutes of Planning Committee held on 5 November 2024  
P158/24 Enforcement Cases Opened  
P159/24 Enforcement Cases Closed  
P160/24 Enforcement Live Case List  
P156/24 Receive Report on Number of Older Applications cont'd

### **P161/24 Duration of Meeting**

The meeting was called for 6.00 pm and ended at 7.30 pm.

Chair \_\_\_\_\_

Date \_\_\_\_\_



## Annex A – Introductory Remarks from the Chairperson

Good evening and welcome to the Council's Planning Committee in the Chamber, Magherafelt and virtually.

I specifically welcome the public watching us through the Live Broadcast. The Live Broadcast will run for the period of our Open Business but will end just before we move into Confidential Business. I 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 they are for or against the proposal or abstaining
- When invited to speak please introduce yourself by name to the meeting
- 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
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

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.



**ADDENDUM TO PLANNING COMMITTEE AGENDA**

**FOR PLANNING COMMITTEE MEETING ON: 03 December 2024**

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

**Chair's Business**

<b>ITEM</b>	<b>INFORMATION RECEIVED</b>	<b>ACTION REQUIRED</b>
5.2	Refusal reason did not pull through onto report. This application is recommended for refusal as the proposal is contrary to BH7, BH8 and BH11 of PPS 6 - Planning, Archaeology and the Built Heritage in that insufficient information has been provided to demonstrate that this proposal would not have any adverse impact on this listed building or its setting.	Members to note
6.2	Support for application showing planning history	Members to note